California Regional Water Quality Control Board

Los Angeles Region

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

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Arnold Schwarzenegger
Governor

December 27, 2006

Mr. Jeff Pratt, Deputy Director
Ventura Countywide Stormwater Quality Management Program
Ventura Watershed Protection District
800 South Victoria Avenue, L#1600
Ventura, CA 93009

Ventura County Municipal Storm Water Permittees

DRAFT VENTURA COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT (NPDES PERMIT No. CAS004002) - LETTER OF TRANSMITTAL

Dear Mr. Pratt, et al:

We are pleased to transmit to you the draft National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit (attached) and waste discharge requirements for storm water discharges from the MS4 within the Ventura County Watershed Protection District, County of Ventura and the incorporated cities therein. The Ventura County MS4 permit requires the Ventura County Watershed Protection District, herein referred to as the Principal Co-Permittee, and other Co-Permittees to implement the NPDES Permit No. CAS004002, including the Reporting Program (Monitoring Report and Program Report).

Permittee comments and comments from the public and other interested persons on the draft Ventura County MS4 permit are appreciated and due to the California Regional Water Quality Control Board, Los Angeles Region (L.A. Water Board) by February 26, 2007. Comments may be mailed to the Regional Board, Xavier Swamikannu/Storm Water Permitting at the above address or e-mailed to: April122007workshop@waterboards.ca.gov. The L.A. Water Board will conduct a public workshop on April 12, 2007 to receive comment on the draft MS4 permit, but will not take any action. A future public meeting will be scheduled to consider adoption of the Ventura County MS4 Permit.

We welcome the Principal Permittee and other municipal Permittees participation and assistance during the development of the MS4 permit. Should you have any question, please do not hesitate to call me at (213) 576-6605 or Dr. Xavier Swamikannu at (213) 620-2094.

Sincerely,

Jonathan S. Bishop
Executive Officer

Enclosure

Cc: Mailing List

STATE OF CALIFORNIA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

ORDER 07-xxx
NPDES PERMIT NO. CAS004002
WASTE DISCHARGE REQUIREMENTS
FOR
STORM WATER DISCHARGES FROM THE MUNICIPAL SEPARATE STORM SEWER SYSTEM WITHIN THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT, COUNTY OF VENTURA AND THE INCORPORATED CITIES THEREIN.

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December 27, 2006

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STATE OF CALIFORNIA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

ORDER 06-xxx
NPDES PERMIT NO. CAS004002
WASTE DISCHARGE REQUIREMENTS
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STORM WATER DISCHARGES FROM THE MUNICIPAL SEPARATE STORM SEWER SYSTEM WITHIN THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT, COUNTY OF VENTURA AND THE INCORPORATED CITIES THEREIN.

FINDINGS

The California Regional Water Quality Control Board, Los Angeles Region (hereinafter called Regional Water Board), finds that:

A. Permit Parties and History

1. Ventura County Watershed Protection District (Principal Permittee), County of Ventura, Cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventrura, Santa Paula, Simi Valley and Thousand Oaks (hereinafter referred to separately as Permittees) have joined together to form the Ventura Countywide Storm Water Quality Management Program to discharge wastes. The Permittees discharge or contribute to discharges of storm water from municipal separate storm sewer systems (MS4s), also called storm drain systems, into the Watershed Management Areas of Ventura River, Santa Clara River, Calleguas Creek, Malibu Creek and Miscellaneous Ventura Coastal all within Ventura County and Los Angeles County (see Attachment "A").

2. Storm water discharges from the Ventura County MS4 are covered under countywide waste discharge requirements contained in Order No. 00-108, adopted by the California Water Quality Control Board, Los Angeles Region (Regional Water Board) on July 27, 2000, which replaced Order No. 94-082, adopted by the Regional Water Board on August 22, 1994. Order No. 00-108 also serves as a National Pollutant Discharge Elimination System (NPDES) permit for the discharge of municipal storm water.

3. The Regional Water Board may require a separate NPDES permit for any entity that discharges storm water into the watersheds of Ventura County. Such an entity can be any State or Federal facility, special district or other public or private party.

B. Nature of Discharge

1. Storm water discharges consist of surface water runoff generated from various land uses in all the hydrologic drainage basins, which discharge into Waters of the State. The quality of these discharges varies and is affected by geology, land use, season, hydrology, and sequence and duration of hydrologic events. Based on the Ventura Countywide Storm Water Monitoring Program's Water Quality Monitoring Reports which were required under Order No. 00-108, the wet weather Pollutants of Concern (POC) include bacteria, conventional pollutants, metals, nutrients, organic compounds, and pesticides. The POC are identified in Attachment "B" of this Order.

2. Common pollutants in storm water and their respective sources are: bacteria from animal droppings; Polycyclic Aromatic Hydrocarbons (PAHs) from the products of internal combustion engine operation and parking lot sealants wash off; nitrates from fertilizer application; pesticides from pest mitigating applications; herbicides from plant mitigating applications; bis (2-ethylhexyl) phthalate from the break down of plastic products; mercury from atmospheric fallout and improper disposal of mercury switches; lead from fuels, paints, automotive parts; copper from brake pad wear and roofing materials, zinc from tire wear and galvanized sheeting and fencing; sediment from land disturbance and erosion; and dioxins as products of combustion.

3. The implementation of the measures set forth in this Order are reasonably expected to reduce the discharge of pollutants via storm water runoff into receiving waters, and to meet the Waste Load Allocations (WLAs) for municipal storm water adopted by the Regional Water Board.

4. In general, the substances that are found in municipal storm water runoff can harm human health and aquatic ecosystems. In addition, the high volumes and high velocities of storm water discharged from MS4s into natural watercourses can adversely impact aquatic ecosystems and stream habitat and cause stream bank erosion and physical modifications collectively termed hydromodification. Municipal point source discharges from urbanized areas remain a leading cause of impairment of surface waters in California (2002 National Assessment Database, http://www.epa.gov/waters/305b/index.html and State Water Resources Control Board (State Board) 2002 CWA § 305(b) Report http://www.waterboards.ca.gov/tmdl/305b.html).

5. Water quality assessments conducted by the Regional Water Board identified impairments, or threatened impairments, of beneficial uses of water bodies in the Ventura Watersheds. These impairments include many of the POC identified by the Ventura Countywide Storm Water Monitoring Program. These impairments are

identified on the Federal Clean Water Act (CWA) § 303(d) list of impaired water bodies.

6. Studies and research conducted by other Regional agencies, and academic institutions have also identified storm water urban runoff as significant sources of pollutants to surface waters in Southern California. See, e.g., [*Surface Runoff to the Southern California Bight,* Southern California Coastal Water Research Project, (1992); *Impacts of Urban Runoff on Santa Monica Bay and Surrounding Ocean Waters* (Gersberg, R.M., 1995); *State of the Bay 1998*, Santa Monica Bay Restoration Project; *Storm Water Impact, in, Southern California Environmental Report Card 1999 and 2004*, Institute of the Environment, University of California, Los Angeles (Stenstrom, M.S., 1999, 2004); *Distribution of Anthropogenic and Natural Debris on the Mainland Shelf of Southern California Bight*, Shelly L. Moore and M. James Allen (1999); *The Health Effects of Swimming in Ocean Water Contaminated by Storm Drain Runoff*, Haile, R.W. et al. (1999); *Huntington Beach Closure Investigation: Technical Review* (University of Southern California, 2000); *A Regional Survey of the Microbiological Water Quality Along the Shoreline of the Southern California Bight,* Rachel T. Novle et al. (2001); *Integrated Receiving Water Impacts Report (1994-2000)*, County of Los Angeles (2001); Receiving Water Impacts Associated with Urban Runoff, Pitt, R.(2002).]

7. Development and urbanization increase pollutant loads, volume, and discharge velocity. First, natural vegetated pervious ground cover is converted to impervious surfaces (paved) such as highways, streets, rooftops and parking lots. Natural vegetated soil can both absorb rainwater and remove pollutants providing an effective natural purification process. In contrast, impervious surfaces (pavement and concrete) can neither absorb water nor remove pollutants, and thus the natural purification characteristics are lost. Second, urban development creates new pollution sources as the increased density of human population brings proportionately higher levels of vehicle emissions, vehicle maintenance wastes, municipal sewage waste, pesticides, household hazardous wastes, pet wastes, trash, and other anthropogenic pollutants. Development and urbanization especially threaten environmentally sensitive areas. Such areas have a much lower capacity to withstand pollutant shocks than might be acceptable in the general circumstance. In essence, development that is ordinarily insignificant in its impact on the environment may in a particular sensitive environment become significant. These environmentally sensitive areas (ESAs) designated by the State include:

   (a) Regional Water Board's areas listed in the Basin Plan as supporting the "Rare, Threatened, or Endangered Species (RARE)" Beneficial Use; and

(b) California Coastal Commission's Environmentally Sensitive Habitat Areas as delineated on maps in Local Coastal Plans (LCPs).

8. Ventura County has several stream segments listed on the CWA § 303(d) list of impaired water bodies for various pollutants/stressors. The California Stream Bioassessment Procedure (CSBP) is a cost-effective tool and standard protocol for assessing the biological and physical/ habitat conditions of stream segments for evaluation of the overall health of the watershed. [References*:* Barbour, M.T., J. Gerritsen, B.D. Snyder, and J.B. Stribling, 1999. *Rapid Bioassessment Protocols for use in Streams and Rivers: Periphyton, Benthic, Macroinvertebrates, and Fish*. 2nd Edition. EPA 841-B-99-002. U.S. Environmental Protection Agency; Office of Water; Washington, D.C., California State Water Resources Control Board - Division of Water Quality, (2003). *The Status and Future of Biological Assessment for California Streams*. Southern CA Coastal Water Research Project, CA Department of Fish and Game, (2005*). Bioassessment In Low Gradient Streams Quality Assurance Project Plan.* California Department of Fish and Game, (2005*). California Stream Bioassessment Procedure (CSBP) for Measuring Basic Characterization of Stream Habitat and Sampling Benthic Macroinvertebrates.* Ode, P. et al, (2005). *A Quantitative Tool for Assessing the Integrity of Southern Coastal California Streams*.] This Order includes requirements to conduct bioassessments of natural streams and waterways.

9. The Ventura Watershed stream segments listed on the CWA § 303(d) list of impaired water bodies have polluted and/ or disturbed ecosystems that can be assessed to evaluate their potential for ecological restoration. The purpose of restoration is to reestablish insofar as possible the ecological integrity of degraded aquatic ecosystems. Ecological integrity refers to the condition of an ecosystem, particularly the structure, composition, and natural processes of its biotic communities and physical environment. Restoration strives for the greatest progress toward ecological integrity achievable within the current limits of the watershed. [References: U.S. EPA, 2000. *Principles for the Ecological Restoration of Aquatic Resources*. EPA841-F-00-003. Office of Water (4501F) United States Environmental Protection Agency, Washington, DC. 4 pp., the Federal Interagency Stream Restoration Working Group, (2001). *Stream Corridor Restoration: Principles, Processes, and Practices*.] This Order includes requirements to conduct restoration planning.

10. The increased volume, increased velocity, and discharge duration of storm water runoff from developed areas has the potential to greatly accelerate downstream erosion and impair stream habitat in natural drainages. Studies have demonstrated a direct correlation between the degree of imperviousness of an area and the degradation of its receiving waters. Significant declines in the biological integrity and physical habitat of streams and other receiving waters have been found to occur

with as little as 3-10 percent conversion from natural to impervious surfaces. Percentage impervious cover is a reliable indicator and predictor of potential water quality degradation expected from new development. [References: *Impervious Cover as An Urban Stream Indicator and a Watershed Management Tool*, Schueler, T. and R. Claytor, In, Effects of Water Development and Management on Aquatic Ecosystems (1995), ASCE, New York; Leopold, L.B., (1973); *River Channel Change with Time: An Example*, Geological Society of America bulletin, v. 84, p. 1845-1860; Hammer, T.R., (1972), *Stream Channel Enlargement Due to Urbanization*: Water Resources Bulletin, v.8, p. 1530-1540; Booth, D.B., (1991), *Urbanization and the Natural Drainage System--Impacts, solutions and Prognoses*: The Northwest Environmental Journal, v. 7, p. 93-118; Klein, R.D., (1979), *Urbanization and Stream Quality Impairment*: Water Resources bulletin, v. 15, p. 948-963; May, C.W., Horner, R.R., Karr, J.R., Mar, B.W., and Welch, E.B., (1997), *Effects of Urbanization on small steams in the Puget Sound Lowland Ecoregion*: Watershed Protection Techniques, v. 2, p. 483-494; Morisawa, M. and LaFlure, E., *Hydraulic geometry, Stream Equilibrium and Urbanization In Rhodes*, D.P. and Williams, G.P. *Adjustments to the Fluvial System* p. 333-350, (1979); Dubuque, Iowa, Kendall/Hunt, Tenth Annual Geomorphology Symposia Series; and *The Importance of Imperviousness*: Watershed Protection Techniques, 1(3), Schueler T. (1994); *Managing Runoff to Protect Natural Streams, The Latest Development and Investigation of Hydromodification in California*, Stein, E.D., and Zaleski, S. (2005); *Effect of Increases in Peak Flows and Imperviousness on the Morphology of Southern California Streams*, Coleman, D, MacRae, C, Stein, E.D. (2005); and *Urbanization and Channel Stability Assessment In The Arroyo Simi Watershed of Ventura County*, Final Report, (2004).]

11. The industries and businesses listed in this Order that are to be inspected by Permittees have the potential to discharge contaminated runoff into the MS4, this runoff is an environmental threat because it can adversely impact public health and safety, and the quality of receiving waters. For example, pretreatment program compliance inspections and audits performed in the Los Angeles and Ventura Counties indicate that automotive service and food service facilities sometimes discharge-polluted runoff to the MS4s. The POCs in such wash waters include oil and grease, toxic chemicals, and food waste. Spills from clogged sanitary sewer lines have a high likelihood to reach the receiving waters via MS4s. Overall, the most common POC identified in runoff discharging to the MS4s are: (i) heavy metals, (ii) oil and grease/ PAHs, (iii) sediments, (iv) oxygen demanding substances, (v) litter/ trash/ debris, (vi) nutrients, (vii) other toxic materials, such as pesticides (*Research Report on Issues, Pollutants and Materials for the Stormwater/Urban Runoff Public Education Program*. Prepared for the Los Angeles County Department of Public Works and submitted to the Regional Water Board in July 1997; *The Critical Source Selection and Monitoring Report*- Woodward-Clyde Consultants

prepared for the Los Angeles County Department of Public Works and submitted to the Regional Water Board in July 1997). Municipal storm water monitoring data and industrial storm water monitoring data indicate that industrial and commercial sites continue to contribute significant quantities of pollutants in storm water runoff. [References: Ventura County Monitoring Program Report, (2005-2006), *Storm Water Industrial Activities Sampling Program Evaluation in California,* M. Stenstrom and H. Lee, January 2005, http://www.waterboards.ca.gov/losangeles/html/programs/stormwater/lams4Documents.html, *Evaluation of Urban Non-Point Source Runoff of Hazardous Metals Entering Santa Monica Bay, California,* M.S. Buffleben et all, in *Water Science and Technology 2002*. Other studies performed in California also point to the threat of pollution created by nonstorm water discharges to storm drains including discharges of washwaters during dry and wet weather (*Water Quality Concerns and Regulatory Controls for Nonstorm Water Discharges to Storm Drains*, L.D. Duke and M.M. Kihara, Journal of the American Water Resources Association, June 1998.]

12. Rising groundwater and swimming pool water have been found to be sources of pollutants such as salts. Salts increase the salinity of otherwise freshwater systems and disrupt physiological processes. This Regional Water Board has adopted Basin Plan amendments to include TMDLs for salts and this Order includes provisions to control the discharges from these activities in order to directly or indirectly reduce or eliminate the discharge of salts to fresh water systems where salts may impair water quality and beneficial uses.

13. Studies indicate that facilities with paved surfaces subject to frequent motor vehicular traffic (such as: strip malls, parking lots, commercial business parks, and fast food restaurants), or facilities that perform vehicle repair, maintenance, or fueling (automotive service facilities) are potential sources of POC in storm water. [References: Pitt et al., *Urban Storm Water Toxic Pollutants:* Action Plan Demonstration Project*, Demonstration of Gasoline Fueling Station Best Management Practices*, Final Report, County of Sacramento (1993); Results of Retail Gas Outlet and Commercial Parking Lot Storm Water Runoff Study, Western States Petroleum Institute, (1994); *Assessment, Sources, and Treatability*, Water Environment Res., 67, 260 (1995); *Industrial Storm Water Pollution Prevention: Effectiveness and Limitations of Source Controls in the Transportation Industry*, L. Donald Duke and Y. Jae Chung, Waste Management, Vol. 15, No. 8, pp. 543-558 (1996); Source Characterization, R. Pitt, In Innovative Urban Wet-Weather Flow Management Systems (2000); Technomic Press, Field, R et al. Editors; *First Flush Storm Water Runoff from Highways,* M.K. Stenstrom et al. (2000); *Characteristics of Parking Lot Runoff Produced by Simulated Rainfall*, L.L. Tiefenthaler et at. Technical Report 343, Southern California Coastal Water Research Project (2001); California Storm Water BMP Handbook Municipal, (January 2003); Kayhanian K. Singh A., Suverkropp C.,

Borroum S., (November 2003). *Impact of Annual Average Daly Traffic On Highway Runoff Pollutant Concentrations*. J.Envir. Engrg., Volume 129, Issue 11, pp. 975-990. *Metals and PAHs Adsorbed to Street Particles,* Sim-Lin Lau and Michael K. Stenstrom (2005).]

14. Retail Gasoline Outlets (RGOs) are points of convergence for vehicular traffic and are similar to parking lots and urban roads. Studies indicate that storm water discharges from RGOs have high concentrations of hydrocarbons and heavy metals. [References: *The Quality of Trapped Sediments and Poor Water within Oil Grit Separators in Suburban*, MD, Schueler T. and Shepp D. (1992), and *Concentration of Selected Constituents in Runoff from Impervious Surfaces in Four Urban Catchments of Different Landuse*, Ranabal, F.I. and T.J. Bizzard (1995). In Proceedings of the Fourth Biennial Storm Water Research Conference, Florida, pp. 42-52].*Retail Gasoline Outlets: New Development Design Standards for Mitigation of Storm Water Impacts*, (June 2001); *Supplement to Retail Gasoline Outlet Report* (December 2001); *Review of Storm Water Quality Task Force BMP Guide for Retail Gasoline Outlets* (November 2001).]

15. The Regional Water Board adopted a Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Order No. R4-2005-0080) on November 3, 2005. The objective of the program is to monitor runoff from irrigated agriculture facilities in the coastal watersheds of Los Angeles and Ventura Counties. The Regional Water Board's Basin Plan, which designates beneficial uses and establishes water quality objectives for the Region, recognizes that agricultural activities can generate pollutants such as sediment, pesticides, herbicides, and nutrients that upon discharge to receiving water, can degrade water quality and impair beneficial uses. A category identified by the Conditional Waiver as a source of pollutants is nursery operations. This Order includes requirements for the municipal operator to insure the implementation of pollutant reduction and control measures at nursery operations, with the objective of reducing pollutants in storm water runoff within their jurisdiction.

16. Research conducted on the contribution of aerial deposition of trace heavy metals in Los Angeles County watersheds indicates that dry indirect deposition may account for a significant load of pollutants into surface waters. Similar patterns of aerial deposition likely occur in Ventura County. Of the atmospherically deposited pollutants on the watersheds, ten to twenty percent may account for the total load for copper, zinc, nickel, lead, and chromium to the water bodies. Land reservoirs and sequestration may account for the remaining ninety to eighty percent of the atmospherically deposited pollutants on the watersheds. Emissions of semi-volatile organics such as polycyclic aromatic hydrocarbons (PAHs) and pesticides and their subsequent deposition may contribute to the contamination of receiving waters but

appear to be less significant (*Atmospheric Dry Deposition of Trace Metals in the Los Angeles Coastal Region*, L.D. Sabine et al (2005) SCCWRP AR pp. 50-60; *Atmospheric Concentration of PAH, Pesticides, and other Semi-volatile Organic Compounds in the Los Angeles Coastal Region*, L.D. Sabin et al (2005) pp. 61-72; *Contribution of Trace Metals from Atmospheric Deposition to Stormwater Runoff in a Small Impervious Urban Catchmen*t, Sabin et al., Water Research 39 (2005) 3929-3937; *Measuring and Modeling of Atmospheric Deposition on Santa Monica Bay and the Santa Monica Bay Watershed*, K.D. Stolzenbach et al. (2001). The Los Angeles Regional Water Board will coordinate with the South Coast Air Quality Management Districts, the California Air Resources Board, and other governmental agencies to address multimedia sources of pollution that may contribute to pollution of surface waters.

17. Trash and debris are pervasive pollutants which accumulate in streams, rivers, bays, and ocean beaches throughout Southern California. It poses a serious threat to our oceans and coasts, navigation, biological resources, recreation, human health and safety, aesthetics and economies. [References: Moore, S.L., Gregorio D., Carreon, M., Weisberg, S.B., and Leecaster, M.K., (2001). *Composition and Distribution of Beach Debris in Orange County, California.* Marine Pollution Bulletin, 42(3), pp. 241-245. *Los Angeles River Watershed Total Maximum Daily Loads for Trash*, Staff Report, (2001). (September, 2005). *2005 Plastic Debris, Rivers to Sea Conference*.]

18. Nitrite and nitrate (NH3) are biostimulatory substances that can cause or contribute to eutrophic effects such as low dissolved oxygen and algae growth impairing warm freshwater and wildlife habitats. NH3 is highly toxic to fish and other aquatic life. Excessive ammonia can cause aquatic life toxicity. [References: *California 2002 303(d) list of water quality limited segments*, (February 4, 2003); *Santa Clara River Total Maximum Daily Loads for Nitrogen Compounds*, Staff Report (2003).]

19. Pesticides are substances used to prevent, destroy, repel or mitigate any pest ranging from insects, animals and weeds to microorganisms. Their effects can be direct (e.g. fish die from a pesticide entering waterways, or birds do not reproduce after ingesting contaminated fish), or indirect (a hawk becomes sick from eating a mouse dying from pesticide poisoning). Pesticide categories include: Organochlorine, Organophosphorus, Organophosphate, and Pyrethroid. [References: *Aquatic Toxicity Due to Residential Use of Pyrethroid Insecticides*; Weston, D.P., Holmes, R.W., You, J., Lydy, M.J. Environ. Sci. Technol.; (Article); 39(24); pp. 9778-9784 (2005); Bioavailability of Pyrethroids in Surface Aquatic Systems; Gan, J., Yang,W., Bondarenko,S., Spurlock,F. (Presentation at CA Department of Pesticide Regulation) (2005); *Pesticides in the Nation's Streams and Ground Water, 1992-2001*; Gilliom, R.J.; Barbash J.E.; Crawford C.G.; Hamilton, P.A.; Martin, J.D.; Nakagaki, N.; Nowell, L.H.; Scott, J.C., Stackelberg, P.E.; Thelin, G.P.; Wolock, D.M. USGS

Circular 129; 2006; *Calleguas Creek, its Tributaries and Mugu Lagoon Total Maximum Daily Loads for Organochlorine (OC) Pesticides, Polychlorinated Byphenyls (PCB) and Siltation*, Staff Report, (2006); *Calleguas Creek, its Tributaries and Mugu Lagoon Total Maximum Daily Loads for Toxicity, Chlorpyrifos and Diazinon*, Staff Report, (2006); U.S. EPA, *Permethrin, Resmethrin, Sumithrin: Synthetic Pyrethroids For Mosquito Control*,
URL: http://www.epa.gov/pesticides/health/mosquitoes/pyrethroids4 mosquitoes.htm;
U.S. EPA, *Chlorpyrifos Summary*,
URL: http://www.epa.gov/oppsrrd1/op/chlorpyrifos/summary.htm;
U.S. EPA, *Diazinon Summary*,
URL: http://www.epa.gov/pesticides/op/diazinon/summary.htm.]

20. Polychlorinated Byphenyls (PCBs) are a subset of the synthetic organic chemicals known as chlorinated hydrocarbons. Concern over PCBs toxicity, persistence (chemical stability) in the environment and that they have been shown to bioconcentrate significantly in aquatic organisms has led to prohibitions on PCBs. [References: *Calleguas Creek, its Tributaries and Mugu Lagoon Total Maximum Daily Loads for Organochlorine (OC) Pesticides, Polychlorinated Byphenyls (PCB) and Siltation*, Staff Report, (2006); U.S. EPA, Technical Factsheet on: Polychlorinated Biphenyls (PCBs),
URL: http://www.epa.gov/OGWDW/dwh/t-soc/pcbs.html.

C. Permit Background

1. The essential components of the Storm Water Management Program, as established by the Code of Federal Regulations (CFR) [40 CFR 122.26(d)] are:

   (a) Adequate Legal Authority.
   (b) Fiscal Resources.
   (c) Storm Water Quality Management Program (SMP).
      (1) Public Information and Participation Program.
      (2) Industrial/ Commercial Facilities Program.
      (3) Planning and Land Development Program.
      (4) Development Construction Program.
      (5) Public Agency Activities Program.
      (6) Illicit Connection and Illicit Discharges Elimination Program.
   (d) Reporting Program (Monitoring Report and Program Report).

2. The Ventura County SMP, dated November 2001 (revision 2) identifies seven program areas, which are listed below and were previously approved under Board Order No. 00-108.
   (a) Ventura County SMP.
      (1) Program Management.

(2) Programs for Residents.
(3) Programs for Industrial/ Commercial Businesses.
(4) Programs for Planning and Land Development.
(5) Programs for Construction Sites.
(6) Programs for Public Agency Activities.
(7) Programs for Illicit Connections/ Illegal Discharges.

For purposes of region-wide consistency, the program titles are revised and consolidated into the six areas listed in the preceding C.1(c). All Permittee storm water documents submitted to the Regional Water Board are to follow the organization enumerated in C.1(c).

3. The Permittees filed a Report of Waste Discharge (ROWD), dated January 26, 2005. The Permittees applied for renewal of their waste discharge requirements for a 5-year period, which serves as an NPDES permit to discharge wastes to surface waters.

4. The Regional Water Board reviewed the ROWD and determined it to be partially complete under the reapplication policy for MS4s issued by the United States Environmental Protection Agency (REGIONAL WATER BOARD) (61 Fed. Reg. 41697). The Regional Water Board has prepared this Order so that implementation of provisions contained in this Order by Permittees will meet the requirements of the federal NPDES regulations at 40 CFR 122.26.

5. To-date, the monitoring program has consisted of mass emission, receiving water (tributaries), and land-use monitoring stations, toxicity testing, special studies for bio-assessment of the Ventura River and hydrology, identification of ESAs, implementation of the Storm Water Quality Urban Impact Mitigation Plan (SQUIMP), and provide support for volunteer monitoring programs. This Order requires a monitoring program consisting of mass emission, and tributary station(s), toxicity and total suspended solids (TSS) testing, wet weather MS4 WLA monitoring, bio-assessment of the Ventura River, Santa Clara River and Calleguas Creek, trash and debris study, a Pyrethroid assessment, continuation of the hydromodification study, low impact development study, participation in the Southern California Bight Project (SCBP), and support volunteer of monitoring programs.

6. The Principal Permittee is a member of the Southern California Coastal Water Research Project (SCCWRP) Commission. The Principal Permittee also participates in the Regional Monitoring Programs and research partnerships, such as the Southern California Storm Water Monitoring Coalition (SMC) and the Bioassessment Working Group.

D. Permit Coverage

1. The area covered by this Order includes all areas within Ventura County boundaries and all areas within the Municipalities' boundaries (see Figure 1) that are within the Regional Water Board's jurisdiction except for agricultural lands and forest lands. Storm water runoff in these areas are discharged to the watercourses covered by this Order (see Attachment "A"). Provisions of this Order apply to the urbanized areas of the municipalities, areas undergoing urbanization and areas which the Regional Water Board Executive Officer determines are discharging storm water that causes or contributes to a violation of a water quality standard or is a significant contributor of pollutants to the waters of the United States pursuant to CWA § 402(p)(2)(E).

2. The Permittees covered under this Order were designated on a system-wide basis under Phase I of the CWA § 402(p)(3)(B)(i). The action of covering all Ventura County municipalities under a single MS4 permit on a system-wide basis was consistent with the provisions of 40 CFR 122.26(a)(3)(iv), which states that one permit application may be submitted for all or a portion of all municipal separate storm sewers within adjacent or interconnected large or medium municipal separate storm sewer systems; and the Regional Water Board may issue one system-wide permit covering all, or a portion of all municipal separate storm sewers in adjacent or interconnected large or medium municipal separate storm sewer systems.

3. Federal, State, Regional, or local entities within the Permittees' boundaries or in jurisdictions outside the Ventura County Watershed Protection District, and not currently named in this Order, may operate storm drain facilities and/ or discharge storm water to storm drains and watercourses covered by this Order. The Permittees may lack legal jurisdiction over these entities under State and Federal constitutions. The Regional Water Board will work with these entities to ensure the implementation of programs that are consistent with the requirements of this Order.

4. This Order incorporates the MS4 TMDLs' WLAs adopted by the Regional Water Board as required under CWA § 303 (d). This order incorporates default WLA monitoring requirements, or where approved, TMDL Implementation Plan Monitoring Program requirements to verify compliance with the adopted TMDL WLAs.

5. Permittees are to work cooperatively to control the contribution of pollutants from one portion of the MS4 to another portion of the system through inter-agency agreements or other formal arrangements.

E. Federal, State and Regional Regulations

1. The Water Quality Act of 1987 added § 402(p) to the CWA (33U.S.C. § 1251-1387). This section requires the U.S. EPA to establish regulations setting forth NPDES requirements for storm water discharges in 2 phases.

   (a) U.S. EPA Phase I storm water regulations were directed at MS4s serving a population of 100,000 or more, including interconnected systems and storm water discharges associated with industrial activities, including construction activities. The Phase 1 Final Rule was published on November 16, 1990 (55 Fed. Reg. 47990).

   (b) U.S. EPA Phase II storm water regulations are directed at storm water discharges not covered in Phase I, including small MS4s (population of less than 100,000), small construction projects (less than 5 acres), municipal facilities with delayed coverage under the Intermodal Surface Transportation Efficiency Act of 1991, and other discharges for which the U.S. EPA Administrator or the State determines that the storm water discharge contributes to a violation of a water quality standard, or is a significant contributor of pollutants to waters of the US. The Phase II Final Rule was published on December 8, 1999 (64 Fed. Reg. 68722).

2. The U.S. EPA published an 'Interpretative Policy Memorandum on Reapplication Requirements for MS4 permits on August 9, 1996 (61 Fed. Reg. 41697). This policy requires that MS4 reapplication for reissuance for a subsequent five-year permit term contains certain basic information and information for proposed changes and improvements to the storm water management program and monitoring program.

3. The U.S. EPA has entered into a Memorandum of Agreement (MOA) with the US Fish and Wildlife Service, and the National Marine Fisheries Service for enhancing coordination regarding the protection of endangered and threatened species under Section 7 of the Endangered Species Act, and the CWA's water quality standards and NPDES programs. Among other actions, the MOA establishes a framework for coordination of actions by the U.S. EPA, the Services, and CWA delegated States on CWA permit issuance under § 402 of the CWA [66 Fed. Reg. 11202-11217].

4. The CWA allows the U.S. EPA to delegate its NPDES permitting authority to states with an approved environmental regulatory program. The State of California is a delegated State. The Porter-Cologne Water Quality Control Act (California Water Code- CAL. WATER CODE) authorizes the State Water Resources Control Board (State Water Board), through the Regional Water Boards, to regulate and control the discharge of pollutants into waters of the State and tributaries thereto.

5. The State Water Board submits a report (a list of water quality limited segments (§ 303[d] list)) on the State's water quality to the U.S. EPA pursuant to § 305(b) of the 1972 CWA, and Title 40, CFR § 130.7, every 2 years. The Report provides water quality information to the general public and serves as the basis for U.S. EPA's National Water Quality Inventory Report to Congress. Title 40 CFR § 130.7(b)(1) provides that waterbodies included on State § 303(d) lists are those waterbodies for which pollution controls required by local, State, or federal authority, including technology-based or more stringent point source effluent limitations or nonpoint source BMPs, are not stringent enough to implement any water quality standard applicable to such waters. Title 40 CFR § 130.7(b)(3) defines "water quality standard applicable to such waters" as "those water quality standards established under § 303 of the [Clean Water] Act, including numeric criteria, narrative criteria, waterbody uses, and antidegradation requirements."

6. Under § 303(d) of the CWA, States are required to identify a list of impaired water-bodies and develop and implement Total Maximum Daily Loads (TMDLs) for these waterbodies (33 USC §1313(d)(1)). The most recent 303(d) list was adopted on July, 2003. A TMDL specifies that maximum amount of a pollutant that a water-body can receive, still meet applicable water quality objectives and protect beneficial uses. The U.S. EPA entered into a consent decree with the Natural Resources Defense Council (NRDC), Heal the Bay, and the Santa Monica BayKeeper on March 22, 1999, under which the Regional Water Board must adopt all TMDLs for the Los Angeles Region within 13 years from that date. This Order incorporates a provision to implement and enforce approved WLAs for municipal storm water discharges and requires amending the SMP after pollutant loads have been allocated and approved.

7. Under § 6217(g) of the Coastal Zone Act Reauthorization Amendments of 1990 (CZARA), US Coastal States with approved coastal zone management programs are required to address non-point pollution impacting or threatening coastal water quality. CZARA addresses five sources of non-point pollution: 1) agriculture; 2) silviculture; 3) urban; 4) marinas; and 5) hydromodification. This Waste Discharge Requirement addresses the management measures required for the hydromodification category and the urban category, with the exception of septic systems.

8. The Regional Water Board addresses septic systems through the administration of non-Chapter 15 regulatory programs and the implementation of Regional Water Board Order No.R4-2004-0146. Septic systems are also addressed under State Assembly Bill (AB) 885 (2000). The Regional Water Board will implement and enforce regulations issued by the State Board pursuant to AB 885. Taken together, these State and Local agency requirements when imposed on septic system operators are expected to reduce the bacterial contamination of storm water from improperly maintained septic systems.

9. On May 18, 2000, the U.S. EPA established numeric criteria for priority toxic pollutants for the State of California (California Toxics Rule (CTR) 65 Fed. Reg. 31682 (40 CFR 131.38) for the protection of human health and aquatic life. These apply as ambient water quality criteria for inland surface waters, enclosed bays and estuaries. The State Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California* (SIP) - 2000, on March 2, 2000, for implementation of the CTR (State Board Resolution No. 2000-15, as amended by Board Resolution No. 2000-030). This policy requires that discharges comply with TMDL derived load allocations as soon as possible, but no later than 20 years from the effective date of the policy.

10. The State Water Board adopted a revised Water Quality Control Plan for Ocean Waters of California (Ocean Plan) in 2005. The California Ocean Plan establishes water quality objectives for California's ocean waters and provides the basis for regulation of wastes discharged into the State's coastal waters. It applies to point and nonpoint source discharges. The Ocean Plan identifies the applicable beneficial uses of marine waters that include preservation and enhancement of designated Areas of Special Biological Significance (ASBS) (now called "State Water Quality Protection Areas") and establishes a set of narrative and numerical water quality objectives designed to protect beneficial uses. The SWRCB adopts the California Ocean Plan, and both the SWRCB and the six coastal Regional Water Quality Control Boards (RWQCBs) implement and interpret the California Ocean Plan.

11. This Regional Water Board adopted a revised Water Quality Control Plan (Basin Plan) for the Los Angeles Region on June 13, 1994. The Basin Plan, which is incorporated into this Order by reference, specifies the beneficial uses of Ventura County water bodies and their tributary streams, and contains both narrative and numerical water quality objectives for these receiving waters. The following beneficial uses identified in the Basin Plan apply to all or portions of each watershed covered by this Order:

    (a) Municipal and domestic supply.
    (b) Agricultural supply.
    (c) Industrial service supply.
    (d) Industrial process supply.
    (e) Ground water recharge.
    (f) Freshwater replenishment.
    (g) Navigation.
    (h) Hydropower generation.
    (i) Water contact recreation.
    (j) Non-contact water recreation.
    (k) Ocean commercial and sport fishing.
    (l) Warm freshwater habitat.

(m) Cold freshwater habitat.
(n) Preservation of Areas of Special Biological Significance.
(o) Saline water habitat.
(p) Wildlife habitat.
(q) Preservation of rare and endangered species.
(r) Marine habitat.
(s) Fish migration.
(t) Fish spawning.
(u) Shellfish harvesting.

12. On March 22, 1999 the Consent Decree in Heal the Bay, Inc.; Santa Monica BayKeeper, Inc. v. Browner, Case No. 98-4825 SBA was approved. Under Establishment of TMDLs- The parties understand that California has the initial opportunity pursuant to § 303(d) of the CWA to adopt and submit to U.S. EPA for approval TMDLs to be established under this Consent Decree. TMDLs developed by Regional Water Boards are adopted as Basin Plan amendments in order to include implementation provisions. The TMDL process follows the procedure below:

(a) Regional Water Board adopts.
(b) State Water Board approves.
(c) Office of Administrative Law approves.
(d) U.S. EPA (Region 9) approves.
(e) State Resources Agency final fee exemption letter.

13. The Regional Water Board has adopted amendments to the Basin Plan, to incorporate TMDLs for the following:

(a) U.S. EPA approved TMDLs with storm water WLAs.
  (1) Santa Clara River and its Tributaries - Nitrogen Compounds.
    (A) Regional Water Board Resolution No. 2003-011.
    (B) State Water Board Resolution No. 2003-0073.
    (C) OAL file No. 04-0123-35.
    (D) U.S. EPA approval date March 18, 2004.
    (E) Final fee exemption date March 23, 2004 (effective date.
    (F) Compliance is 1 year after effective date.

  (2) Malibu Creek and Lagoon - Bacteria.
    (A) Regional Water Board Resolution No. 2004-019.
    (B) State Water Board Resolution No. 2005-0072.
    (C) OAL file No. 05-1018-03 S.
    (D) U.S. EPA approval date January 10, 2006.
    (E) Final fee exemption date January 24, 2006 (effective date).

(F) Compliance for Summer Dry is 3 years after effective date.
(G) Compliance for Winter Dry is 6 years after effective date.

(3) Calleguas Creek, Its Tributaries, and Mugu Lagoon - Toxicity, Chlorpyrifos and Diazinon.
(A) Regional Water Board Resolution No. 2005-009.
(B) State Water Board Resolution No. 2005-0067.
(C) OAL file No. 05-1110-02 S.
(D) U.S. EPA approval date March 14, 2006.
(E) Final fee exemption date March 24, 2006 (effective date).
(F) Compliance for Toxicity and Interim WLA is effective date.
(G) Compliance for Final WLA is 2 years after effective date.

(4) Calleguas Creek, Its Tributaries, and Mugu Lagoon - Organochlorine (OC) Pesticides, Polychlorinated Biphenyls (PCBs), and Siltation.
(A) Regional Water Board Resolution No. 2005-010.
(B) State Water Board Resolution No. 2005-0068.
(C) OAL file No. 05-1206-03 S.
(D) U.S. EPA approval date March 14, 2006.
(E) Final fee exemption date March 24, 2006 (effective date).
(F) Compliance for Interim WLA is effective date.

14. The Regional Water Board adopted and approved requirements for new development and significant redevelopment projects in Ventura County to control the discharge of storm water pollutants in post-construction storm water, on January 26, 2000, in Board Resolution No. R-00-02. The Regional Water Board Executive Officer issued the approved Standard Urban Storm Water Mitigation Plans (SUSMPs) on March 8, 2000 for Los Angles County and the Cities in Los Angeles County. Since 2000, new development and redevelopment water quality criteria have been implemented by the Permittees to be consistent with SUSMP. The State Board affirmed the Regional Water Board action and SUSMPs in State Board Order No. WQ 2000-11, issued on October 5, 2000.

(a) A statewide policy memorandum (dated December 26, 2000), which interprets the Order to provide broad discretion to Regional Water Boards and identifies potential future areas for inclusion in SUSMPs and the types of evidence and findings necessary. Such areas include ministerial projects, projects in environmentally sensitive areas, and water quality design criteria for RGOs. The Regional Water Board properly justified the extensions of SUSMPs and water quality criteria to ministerial projects, projects in environmentally sensitive areas, and RGOs, during the adoption of Regional Water Board Order 01-182. The Regional Water Board's action was upheld by the County of Los Angeles

Superior Court (In Re: Los Angeles County Municipal Storm Water Permit Litigation, Lead Case No. BS 080548, Statement of Decision, Superior Court Central Civil West, March 24, 2005).

(b) The State Water Board's Chief Counsel interpreted the Order to encourage regional solutions and endorsed a mitigation fund or "bank" as alternatives for new development and significant redevelopment. The Regional Water Board has included provisions for Regional solutions and the establishment of a mitigation bank in this Order.

15. The Regional Water Board supports Watershed Management planning to address water quality protection in the region. The objective of the Watershed Management planning is to provide a comprehensive and integrated strategy towards water resource protection, enhancement, and restoration while balancing economic and environmental impacts within a hydrologically defined drainage basin or watershed. It emphasizes cooperative relationships between regulatory agencies, the regulated community, environmental groups, and other stakeholders in the watershed to achieve the greatest environmental improvements with available resources.

16. To facilitate compliance with federal regulations, the State Board has issued the following 4 Statewide General NPDES Permits associated with storm water:

(a) Industrial General Permit (IASGP- Industrial Activities Storm Water General Permit), NPDES No. CAS000001, issued on November 19, 1991, reissued on September 17, 1992 and April 17, 1997, currently under review for reissuance.
(b) Construction General Permit (CASGP- Construction Activities Storm Water General Permit), NPDES No. CAS000002, issued on August 20, 1992, reissued August 19, 1999, currently under review for reissuance.
(c) Small Linear Underground/ Overhead Construction Projects General Permit (small LUPs), NPDES No. CAS000005, issued on June 18, 2003.
(d) Small MS4 Permit WQ Order No. 2003-0005-DWQ adopted on April 30, 2003.

17. Facilities discharging storm water associated with industrial activities, construction projects that disturb 1 or more acres of soil, or construction projects that disturb less than 1 acre but are part of a larger common plan of development or sale that in total disturbs 1 or more acres, and construction activities associated with small linear underground/ overhead projects that result in land disturbances greater than one acre, but less than five acres (small LUPs), are all required to obtain individual NPDES permits for storm water discharges, or be covered by the statewide General Permits by completing and filing a Notice of Intent (NOI) with the State Board. The U.S. EPA guidance anticipates coordination of the state-administered programs for industrial and construction activities with the local agency program to reduce pollutants in storm water discharges to the MS4.

18. State Water Board Resolution No. 68-16 contains the state Antidegradation Policy, titled "Statement of Policy with Respect to Maintaining High Quality Waters in California (Resolution 68-16), applies to all waters of the state, including ground waters of the state, whose quality meets or exceeds (is better than) water quality objectives. Resolution No. 68-16 incorporates the federal Antidegradation Policy (40 CFR Section 131.12) where the federal policy applies, (State Water Board Order WQO 86-17). Both, state and federal antidegradation policies acknowledge that an activity that results in a minor water quality lowering, even if incrementally small, can result in violation of Antidegradation Policies through cumulative effects, for example, when the waste is a cumulative, persistent, or bioaccumulative pollutant.

    (a) State Water Board Resolution No. 68-16 establishes essentially a 2-step process for compliance with the policy.
        (1) Step 1- if a discharge will degrade high quality water, the discharge may be allowed if any change in water quality:
            (A) Will be consistent with maximum benefit to the people of the State.
            (B) Will not unreasonably affect present and anticipated beneficial use of such water.
            (C) Will not result in water quality less than that prescribed in state policies (e.g., water quality objectives in Water Quality Control Plans).
        (2) Step 2- any activities that result in discharges to high quality waters are required to:
            (A) Meet waste discharge requirements that will result in the best practicable treatment or control of the discharge necessary to avoid a pollution or nuisance.
            (B) Maintain the highest water quality consistent with the maximum benefit to the people of the State.
                (i) If such treatment or control results in a discharge that maintains the existing water quality, then a lowering of water quality would not be consistent with state Antidegradation Policy.
                (ii) Likewise, the discharge could not be allowed under state Antidegradation Policy if:
                    (I) The discharge, even after treatment, would unreasonably affect beneficial uses; or
                    (II) The discharge, would not comply with applicable provisions of Water Quality Control Plans.

19. The Hydromodification Control and Low Impact Development (LID) provisions of this Order are intended to promote the State Water Board and federal Antidegradation policies by preventing water quality and habitat (beneficial) degradation.

20. The State Water Board on June 17, 1999, adopted Order No. WQ 99-05, which specifies standard receiving water limitation language to be included in all municipal storm water permits issued by the State and Regional Water Boards.

21. Cal. Water Code § 13263(a) requires that waste discharge requirements issued by Water Boards shall implement any relevant water quality control plans that have been adopted; shall take into consideration the beneficial uses to be protected and the water quality objectives reasonably required for that purpose; other waste discharges; and the need to prevent nuisance.

22. Cal. Water Code § 13370 et. seq. requires that waste discharge requirements issued by the Water Boards implement the provisions of the CWA (33 U.S.C. Sec. 1251 et seq.) and acts amendatory thereof or supplementary thereto, and federal regulations and guidelines issued pursuant thereto.

23. On March 12, 2001, the U.S. Court of Appeals ruled that it is necessary to obtain a NPDES permit for application of aquatic pesticides to waterways (Headwaters, Inc. vs. Talent Irrigation District, 243 F.3rd. 526 (9th Cir., 2001)). The U.S. EPA issued a Final Rule that on October 17, 2006, that exempts the application of a pesticide to or over, including near, waters of the United States if conducted consistent with all relevant requirements under the Federal Insecticide and Fungicide Rodenticide Act (FIFRA), from an NPDES permit under the Clean Water Act in the following two circumstances: (a) The application of pesticides directly to waters of the United States in order to control pests, and (b) The application of pesticides to control pests that are present over waters of the United States, including near such waters, that results in a portion of the pesticides being deposited to waters of the United States (40 CFR 122.3(h)).

24. The California State Assembly passed AB 1721 (Pavley Environmental Education) on September 8, 2005. An act to amend § 60041 of the Education Code, to amend § 71301, § 71302, § 71303, § 71304, and § 71305 of the Public Resources Code, and to add § 13383.6 to the Water Code, relating to environmental education. § 13383.6 is added to the Water Code, to read: § 13383.6. On and after January 1, 2007, if a Regional Water Board or the State Board issues a municipal storm water permit pursuant to § 402(p) of the CWA (33 U.S.C. Sec. 1342(p)) that includes a requirement to provide elementary and secondary public schools with educational materials on storm water pollution, the Permittee may satisfy the requirement, upon approval by the Regional Water Board or State Board, by contributing an equivalent amount of funds to the Environmental Education Account established pursuant to subdivision (a) of § 71305 of the Public Resources Code.

F. Implementation

1. The California Environmental Quality Act (CEQA) (Cal. Pub. Resources Code § 2100 et seq.) requires that public agencies consider the environmental impacts of the projects they approve for development. CEQA applies to projects that are considered discretionary (a governmental agency can use its judgment in deciding whether and how to carry out or approve a project, § 15357) and does not apply to ministerial projects (the law requires a governmental agency to act on a project in a set way without allowing the agency to use its own judgment, § 15369). A ministerial project may be made discretionary by adopting local ordinance provisions or imposing conditions to create decision-making discretion in approving the project. In the alternative, Permittees may establish standards and objective criteria administratively for storm water mitigation for ministerial projects. For water quality purposes regardless of weather a project is discretionary or ministerial, the Regional Water Board considers that all new development and significant redevelopment activity in specified categories, that receive approval or permits from a municipality, are subject to storm water mitigation requirements.

2. The objective of this Order is to protect the beneficial uses of receiving waters in Ventura County. To meet this objective, the Order requires that Best Management Practices (BMPs) will be implemented to reduce the discharge of pollutants in storm water to the maximum extent practicable (MEP), and achieve water quality objectives and standards. The U.S. EPA envisioned that municipal storm water program would be implemented in an iterative manner and improved with each iteration by using information and experience gained during the previous permit term (*Interpretative Policy Memorandum on Reapplication Requirements for MS4 permits* - 61 Fed. Reg. 41697). Municipalities are required to evaluate what is effective and make improvements in order to protect beneficial uses of receiving waters. This Order requires the implementation of an effective combinations of pollution control and pollution prevention measures, education, public outreach, planning, and implementation of source control BMPs and Structural and Treatment Control BMPs. The better–tailored BMPs combined with the performance objectives outlined in this Order have the purpose of attaining water quality objectives and standards (*Interim Permitting Approach for Water Quality-Based Effluent Limitations in Storm Water Permits*- 61 Fed. Reg. 43761). Where WLAs have been adopted for Municipal storm water discharges, this Order requires Permittees to implement controls to achieve the WLAs within the compliance schedule provided in the TMDLs.

   The implementation of the measures set forth in this Order are reasonably expected to reduce the discharge of pollutants conveyed in storm water discharges into receiving waters, and to meet the TMDL WLAs for municipal storm water adopted by the Regional Water Board.

3. The U.S. EPA has recommended that all future TMDLs and TMDL amendments be expressed as daily increments consistent with a federal court ruling (*Friends of the Earth, Inc. v. EPA, et al*. No. 05-5015 (D.C. Cir. 2006)). However, this interpretation does not affect the discretionary authority of the Regional Water Board to express NPDES permit limits and conditions in non daily terms because there is no express or implied statutory limitation (CWA §502(11)) (*Establishing TMDL "Daily Loads" in Light of the Decision by the U.S. Court of Appeals for the D.C. Circuit in Friends of the Earth, Inc. v. EPA, et al. (April 2006) and Implications for NPDES Permits*, U.S. EPA Office of Water, memorandum, Nov 15, 2006). This Order translates MS4 TMDL WLAs adopted by the Regional Water Board into forms "consistent with the assumptions and requirements of the TMDL", by use of alternate temporal increments, concentrations, presumptive BMPs, prohibitions, and other express limitations.

4. During the term of the Order, the Permittees shall implement all necessary control measures to reduce pollutant(s) which cause or continue to cause or contribute to water quality impairments, but for which TMDLs have not yet been developed or approved, to eliminate the water quality impairment(s). Successful efforts to reverse the wet weather impairments during the permit term for such pollutants, may avoid the need for a WLA for wet weather or the need to develop a TMDL in the future

5. This Order promotes a land development and redevelopment strategy that considers the water quality and water management benefits associated with smart growth techniques. Such measures include hydromodification mitigation requirements, minimization of impervious surfaces, integrated water resources planning, and low impact development guidelines. (Reference: *Protecting Water Resources with Smart Grow*th, EPA 231-R- 04-002, U.S. EPA 2004; *Using Smart Growth Techniques as Storm Water Best Management Practices,* EPA 231-B-05-002, U.S. EPA 2005; *Parking Spaces/Community Places: Finding the Balance through Smart Growth Solutions*, EPA 231-K-06-001, U.S. EPA 2006; *Protecting Water Resources with Higher-Density Development*, EPA 231-R-06-001, U.S. EPA 2006.)

6. The implementation of an effective Public Information and Participation Program is a critical component of a storm water management program. While commercial and industrial facilities are traditionally subject to multiple environmental regulations and receive environmental protection guidance from multiple sources, the general public, in comparison, receives significantly less education in environmental protection. An effective Public Information and Participation Program is required because:

   (a) Activities conducted by the public such as vehicle maintenance, improper household waste materials disposal, improper pet waste disposal and the improper

application of fertilizers and pesticides have the potential to generate a significant amount of pollutants that could be discharged in storm water.

(b) An increase in public knowledge of storm water regulations, proper storage and disposal of household wastes, proper disposal of pet wastes and appropriate home vehicle maintenance practices can lead to a significant reduction of pollutants discharged in storm water.

7. The California Supreme Court ruled in its *City of Burbank* Decision that Water Boards when issuing an NPDES permit may not consider economic factors to justify imposing pollutant restrictions that are less stringent than the applicable federal regulations require (*City of Burbank v. State Water Resources Control Bd.*, 35 Cal.4d, 618 (2005)). However, when the pollutant restrictions in an NPDES are more stringent than that which federal law requires, economic factors must be considered. The requirements in this Order may be explicit or more specific than those enumerated in federal regulations under 40 CFR 122.26 or in U.S. EPA guidance. However, the requirements have been prescribed to be consistent with CWA § 402(p)(3)(B)(iii) and are necessary to reduce the discharges of pollutants to the maximum extent practicable and to meet water quality standards. Hence they are no more stringent than that required by federal law.

8. This Order also provides flexibility for Permittees to petition the Regional Water Board Executive Officer to substitute a BMP under this Order with an alternative BMP, if they can provide information and documentation on the effectiveness of the alternative, equal to or greater than the prescribed BMP in meeting the objectives of this Order.

9. This Order contemplates that the Permittees are responsible for considering potential storm water impacts when making planning decisions in order to fulfill the Permittees' CWA requirement to reduce the discharge of pollutants in Municipal Storm Water to the MEP and attain water quality objectives from new development and redevelopment activities. However, the Permittees retain authority to make the final land-use decisions and retain full statutory authority for deciding what land uses are appropriate at specific locations within each Permittee's jurisdiction. This Order and its requirements are not intended to restrict or control local land use decision-making authority.

10. The State Water Board amended the Policy for the Implementation of Toxics Standards in Inland Surface Waters, Enclosed Bays and Estuaries of California (State Implementation Policy – SIP) on February 24, 2005. This Order includes a Monitoring Program that incorporates Minimum Levels (MLs) established under the State Implementation Policy. The MLs represent the lowest quantifiable concentration for priority toxic pollutants that is measurable with the use of proper

method-based analytical procedures and factoring out matrix interference. The SIP's MLs therefore represent the best available science for determining MLs and are appropriate for a storm water monitoring program. The use of MLs allows the detection of toxic priority pollutants at concentrations of concern using recent advances in chemical analytical methods.

11. This Order establishes Municipal Action Levels (MALs) for selected pollutants based on nationwide Phase I MS4 monitoring data for pollutants in storm water. (Reference: http://unix.eng.ua.edu/~rpitt/Research/Research.shtml). The MALs were computed using the statistical based population approach, one of three approaches recommended by the California Water Board's Storm Water Panel in its report, *'The Feasibility of Numerical Effluent Limits Applicable to Discharges of Storm Water Associated with Municipal, Industrial and Construction Activities* (June 2006). The MALs were obtained by multiplying the Median (central tendency measure) with the Coefficient of Variance (estimate of variance measure). MALs are identified in Attachment "C". Permittees shall implement a timely, comprehensive, cost-effective storm water pollution control program to reduce the discharge of pollutants in storm water from the permitted areas to not exceed the MALs. On or after (first October in year 3 after permit adoption), two or more exceedences of a MAL will be construed as a failure to implement adequate control measures and will be considered a violation of the MEP provisions of this Order.

12. This Order is not intended to prohibit the inspection for or abatement of vectors by the State Department of Health Services or local vector agencies in accordance with CA Health and Safety Code, § 116110 et seq. Certain Treatment Control BMPs if not properly designed, operated or maintained may create habitats for vectors (e.g. mosquito and rodents). This Order contemplates that the Permittees will closely cooperate and collaborate with local vector control agencies and the State Department of Health Services for the implementation, operation, and maintenance of Treatment Control BMPs in order to minimize the risk to public health from vector borne diseases.

13. This Order contemplates that Permittees will ensure that implemented Treatment Control BMPs will not pose a safety or health hazard to the public. This Order contemplates that Permittees will ensure that the maintenance of implemented Treatment Control BMPs will comply with all applicable health and safety regulations, such as, but not limited to requirements for worker entry into confined spaces under OSHA Safety and Training education, § 1926.21(b)(6)(i).

14. The CWA prohibits the discharge of pollutants from point sources to waters of the United States unless authorized under an NPDES permit. (33 U.S.C. §§1311, 1342). The State Water Board adopted statewide General Waste Discharge Requirements for

Sanitary Sewer Systems, (WQ Order No. 2006-0003) on May 2, 2006, to provide a consistent, statewide regulatory framework to address Sanitary Sewer Overflows (SSOs). The WDR requires public agencies that own or operate sanitary sewer systems to develop and implement sewer system management plans and report all SSOs to the State Water Board's online SSO database.

The requirements contained in this Order in Part 4.G.1. 'Sewage System Maintenance, Overflow, and Spill Prevention Response Plan' are intended to be consistent with the requirements of the SSO WDR. The Regional Water Board recognizes that there may be some overlap between the MS4 permit provisions and the SSO WDR requirements. The requirements of the SSO WDR are considered the minimum thresholds (see Finding 11 of WQ Order No. 2006-0003). The Regional Water Board will accept the documentation prepared by the Permittees under the SSO WDR for compliance purposes, as satisfying the requirements in Part 4.G.1, provided any more specific or stringent provisions enumerated in this Order, have also been addressed.

15. This Order takes in to consideration the housing needs in the area under the Permittees' jurisdiction by balancing the implementation of Smart Growth and Low Impact Development techniques with the protection of the water resources of the region. Although not required, the Regional Water Board considered the need for housing and the appropriate techniques to allow for reasonable development while protecting the receiving waters from degradation. (Reference: *Considering Housing Needs in Actions Taken by the Regional Water Board: Moving from Costs to Value, 2006).*

16. This Order may have an incremental effect on costs required for compliance with the provisions contained herein. Although not required, Regional Water Board considered costs in preparing this Order. (Reference: *NPDES Stormwater Cost Survey, prepared for California State Water Resources Control Board, CSU, Sacramento 2005).*

G. Public Notification

1. The issuance of waste discharge requirements that serve as an NPDES permit for this discharge is exempt from the provisions of Chapter 3 (commencing with Section 21100) of Division 13 (California Environmental Quality Act) of the Public Resources Code in accordance with California Water Code Section 13389. The California Court of Appeals has affirmed the exemption, and ruled that the Regional Water Board's issuance of an NPDES permit is not subject to review under CEQA (County of Los Angeles et al., v. California Water Boards et al.,) (2006), (Cal.Rptr.3d 619)., Notwithstanding, the Regional Water Board has considered the policies and

requirements set forth in Chapters 1 through 2.6 of CEQA, and further, has considered the final substitute environmental documents for the Ventura County MS4 TMDLs incorporated in this Order.

2. The Regional Water Board has notified the Permittees, and interested agencies and persons of its intent to issue waste discharge requirements for this discharge, and has provided them with an opportunity to make statements and submit their comments.

3. The Regional Water Board has conducted 4 scoping meetings with Permittees and their representatives. On **Xxxxx xx, 200x**, the Regional Water Board conducted a workshop on reissuance of the NPDES permit and received input from the Permittees and the public regarding proposed changes.

4. This Order shall serve as a NPDES permit, pursuant to CWA § 402, or amendments thereto, and shall take effect 90 days from Order adoption provided the Regional Administrator of the U.S. EPA has no objections.

5. Pursuant to Cal. Water Code § 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board within 30 days of adoption of the Order by the Regional Water Board. A petition must be sent to:

   State Water Resources Control Board
   Office of Chief Counsel
   P.O. Box 100
   Sacramento, CA 95812-0100

6. This Order may be modified or alternatively revoked or reissued prior to its expiration date, in accordance with the procedural requirements of the NPDES program, and the Cal. Water Code for the issuance of waste discharge requirements.

IT IS HEREBY ORDERED that the Permittees, in order to meet the provisions contained in Division 7 of the Cal. Water Code and regulations adopted thereunder, and the provisions of the CWA and regulations adopted thereunder, shall comply with the following:

PART 1 - DISCHARGE PROHIBITIONS

A. Prohibitions - Discharges

1. Discharges into and from the MS4 in a manner causing or contributing to a condition of pollution, contamination or nuisance (as defined In Cal. Water Code § 13050), in waters of the State are prohibited.

2. Discharges from the MS4, which cause or contribute to exceedences of receiving water quality objectives for surface waters are prohibited.

3. Discharges to the MS4 not covered by an NPDES individual or general permit are prohibited.

B. Prohibitions - Non-Storm Water Discharges

The Permittees shall effectively prohibit non-storm discharges into the MS4 and watercourses, except where such discharges:

1. Originate from a State, federal, or other source which they are pre-empted by State or Federal law from regulating.

2. Fall within one of the categories below and in the following Table 1, are not a source of pollutants, and meet all conditions where specified by the Regional Water Board Executive Officer:
   (1) Stream diversions authorized by the State Water Board.
   (2) Natural springs and rising ground water.
   (3) Uncontaminated ground water infiltration [as defined by 40 CFR 35.2005(20)].[1]
   (4) Flows from riparian habitats or wetlands.
   (5) Flows from emergency fire fighting activity.
   (6) Potable drinking water supply and distribution system releases.[2]
   (7) Drains for foundation, footing and crawl drains.
   (8) Air conditioning condensate.
   (9) Water from crawl space pumps.
   (10) Reclaimed and potable landscape irrigation runoff.
   (11) Dechlorinated/ debrominated swimming pool discharges [see definition Part 7].
   (12) Non-commercial car washing by residents or non-profit organizations.
   (13) Sidewalk rinsing
   (14) Pooled storm water from treatment BMPs.[3]

[1] NPDES permit for ground water dewatering is required within the Los Angeles Region including Ventura County.
[2] Releases may occur only with the implementation of appropriate BMPs and dechlorination prior to discharge [see section G for specific BMPs]. Any agency or municipal (i.e., water dept., fire dept., etc.) that either individually or collectively discharge(s) or reasonably expects to discharge 100,000 gallons or more of potable water per year, shall submit an ROWD to obtain a separate NPDES permit under this Order [see section G.10]. Discharges from utility vaults shall be conducted under coverage of a separate NPDES permit specific to that activity. Discharges from well heads and hydrostatic pipe testing shall be subject to a separate NPDES general permit coverage (CAG674001).
[3] All storm water BMPs shall at a minimum be maintained at a frequency as specified by the manufacturer. All storm water BMPs shall be designed to drain within 72 hours. Storm water treatment BMPs may be drained to the MS4 under this Order if the discharge is not a source of pollutants. The discharge shall cease when the discharge has become a source of a pollutant(s), (bottom sediment included). Sediments shall be disposed of properly, in compliance with all applicable local, state, and federal policies, acts, laws, regulations, ordinances, and statutes.

Table 1

Type of Discharges:	**Conditions under which allowed:**	**Required BMPs for discharge to occur:**
Stream diversions permitted by the State Board;	Shall comply with all conditions in the authorization.	Shall comply with all conditions in the authorization.
Natural springs and rising ground water	1. Ground water dewatering requires a separate NPDES permit. 2. Segregate flow to prevent introduction of pollutants.	Shall comply with all conditions in the authorization.
Uncontaminated ground water infiltration [as defined by 40 CFR 35.2005(20)] (Utility vault dewatering requires a separate NPDES permit.)	NPDES permit for ground water dewatering is required within the Los Angeles Region including Ventura County	Shall comply with all conditions in the authorization.
Flows from riparian habitats or wetlands	Provided that all necessary permits or authorizations are received prior to diverting the stream flow.	Shall comply with all conditions in the authorization.
Flows from emergency fire fighting activity	Pooled water after fire must be discharged or reused in a controlled manner.	
Potable drinking water supply and distribution system releases	See Footnote #2 on page 26. Provided planned discharges from water lines and potable water sources shall bedechlorinated, pH adjusted if necessary, reoxygenated, and volumetrically and velocity controlled to prevent resuspension of sediments. Water that has been hyperchlorinated shall not be discharged to municipal separate storm sewers, even after de-chlorination.	See Footnote #2 on page 26. To be discharged, this type of water shall be dechlorinated using aeration and/ or sodium thiosulfate and/ or be allowed to infiltrate to the ground. BMPs such as sand or gravel bags shall be utilized to prevent sediment transport. All sediments shall be collected and disposed of in a legal and appropriate manner.
Drains for foundation, footing and crawl drains	Dewatering requires a separate NPDES permit.	Shall comply with all conditions in the authorization.
Air conditioning condensate	Segregation of flow to prevent introduction of pollutants	Infiltration whenever possible
Water from crawl space pumps	Dewatering requires a separate NPDES permit.	NPDES permit for ground water dewatering is required within the Los Angeles Region including Ventura County

Type of Discharges:	**Conditions under which allowed:**	**Required BMPs for discharge to occur:**
Reclaimed and potable landscape irrigation runoff	Segregation of flow to prevent introduction of pollutants.	Implement conservation programs to minimize this type of discharge by using less water.
Dechlorinated/ debrominated swimming pool discharges [see definition Part 7]	Provided discharge to a sanitary sewer is not available. Swimming pool discharges shall be dechlorinated, pH adjusted if necessary, reoxygenated, and volumetrically and velocity controlled to prevent resuspension of sediments. Cleaning waste water and filter back wash shall not be discharged to municipal separate storm sewers. Water that has been hyperchlorinated shall not be discharged to municipal separate storm sewers, even after de-chlorination. Chlorine residual in discharge shall not exceed 0.1mg/L.	Pool water may be dechlorinated using time, aeration, and/ or sodium thiosulfate.
Non-commercial car washing by residents or non-profit organizations		Preferred area is at commercial carwash or in an area where wash water infiltrates. Pumps or vacuums may be used to direct water to areas for infiltration or other use.
Sidewalk rinsing	This may be undertaken only if high pressure low volume is used as described in the glossary under “Sidewalk Rinsing”.	
Pooled storm water from treatment BMPs	All storm water BMPs shall at a minimum be maintained at a frequency as specified by the manufacturer. All storm water BMPs shall be designed to drain within 72 hours. Storm water treatment BMPs may be drained to the MS4 under this Order if the discharge is not a source of pollutants. The discharge shall cease when the discharge has become a source of a pollutant(s), (bottom sediment included). Sediments shall be disposed of properly, in compliance with all applicable local, state, and federal policies, acts, laws, regulations, ordinances, and statutes.	

3. If the Regional Water Board Executive Officer determines that any of the preceding categories of non-storm water discharges are a source of pollutants, the Permittee shall either:

   (a) Prohibit the discharge from entering the MS4; or
   (b) Authorize the discharge category and require implementation of appropriate or additional BMPs to ensure that the discharge will not be a source of pollutants; or
   (c) Require or obtain coverage under a separate NPDES permit for discharge into the MS4.

4. The Regional Water Board Executive Officer, after providing the opportunity for public comment, may authorize or prohibit the discharge of other categories of non-storm water, after consideration of antidegradation policies and upon presentation of evidence.

PART 2 - RECEIVING WATER LIMITATIONS

1. Discharges from the MS4 that cause or contribute to a violation of water quality standards are prohibited.

2. Discharges from the MS4 of storm water, or non-storm water, for which a Permittee is responsible, shall not cause or contribute to a condition of nuisance.

3. The Permittee shall comply with the Order through timely implementation of control measures and other actions to reduce pollutants in the discharges in accordance with this Order.[1] This Order shall be implemented to achieve compliance with receiving water limitations. If exceedence(s) of water quality objectives or water quality standards persist, notwithstanding implementation of the Order and its components and other requirements of this Order, the Permittee shall assure compliance with discharge prohibitions and receiving water limitations by complying with the following procedure:

   (a) Upon a determination by either the Permittee(s) or Regional Water Board that discharges are causing or contributing to a violation of applicable water quality

[1] Separately, after permit year 3 (reporting year 15 from issuance of the first permit), two or more exceedences of a Municipal Action Level (MAL) will create a presumption that the implementation of measures to reduce the pollutant(s) in MS4 discharges to the MEP are inadequate. The Permittee is affirmatively required to augment measures to reduce the discharge of the pollutant(s) to not violate the MEP. The 'end-of-pipe' compliance points for MALs are at 36 inches in diameter or greater discharge pipes with outfalls to the receiving waters, with receiving water mass emission measurements as default compliance points.

standards, the Permittee shall promptly notify and thereafter submit a Receiving Water Limitations (RWL) Compliance Report to the Regional Water Board Executive Officer for approval. The RWL Compliance Report shall be included with the Annual Report, unless the Regional Water Board directs an earlier submittal.

(b) The RWL Compliance Report shall describe BMPs currently being implemented and the additional BMPs that will be implemented, to prevent or reduce any pollutants that are causing or contributing to the exceedences of water quality standards.

(c) The RWL Compliance Report shall include a BMP implementation schedule.

(d) Within 30 days following approval of the RWL Compliance Report the approved, modified suite of BMPs, implementation schedule, and any additional monitoring required shall be implemented.

(e) Modifications to the RWL Compliance Report, required by the Regional Water Board shall be submitted to the Regional Water Board Executive Officer within 30 days of notification.

(f) Implement the revised monitoring program according to the approved schedule.

4. If a member of the public has documentary evidence of RWL violations, the member of the public may petition the Regional Water Board Executive Officer in writing to review the alleged violation within 60 days to determine if Part 2 of this Order was violated.

5. As long as the Permittee complies with the procedures set forth above to comply with the receiving water limitations, is in compliance with the MALs, and is implementing this Order, the Permittee does not have to repeat the procedure for continuing or recurring exceedences of the same water quality standard(s) unless directed to by the Regional Water Board to develop and implement additional BMPs.

6. Nothing in Part 2 shall prevent the Regional Water Board from enforcing any provision of this Order.

PART 3 - STORM WATER QUALITY MANAGEMENT PROGRAM IMPLEMENTATION

A. General Requirements

1. Each Permittee shall, at a minimum, adopt and implement applicable terms of this Order within its jurisdictional boundaries. The Principal Permittee shall be responsible for program coordination as described in this Order as well as compliance with applicable portions of the permit within its jurisdiction. This Order shall be implemented no later than (60 days from Order adoption), unless a later date has been specified for a particular provision in this Order and provided the Regional Administrator of the U.S. EPA has no objections.

2. Each Permittee shall, comply with the requirements of 40 CFR 122.26(d)(2) and implement programs and control measures so as to reduce the discharges of pollutants in storm water to the MEP and achieve water quality objectives.

3. Each Permittee shall implement programs and measures to comply with the TMDLs' WLAs for the MS4 as follows:
   (1) Dry Weather Discharges- achieve the concentration or load based numerical limitation for dry weather discharge identified in this Order (Part 6. Total Maximum Daily Load Provisions) through effective prohibition of dry weather discharges.
   (2) Wet Weather Discharges- achieve the concentration or load based numerical limitation or its BMPs expression for wet weather discharge identified in the Order (Part 6. Total Maximum Daily Load Provisions), or implement the BMPs specifically identified in the Order which have a reasonable expectation, when fully implemented, to achieve the WLAs in the Order (Part 6. Total Maximum Daily Load Provisions).

B. Legal Authority

1. Permittees shall possess the necessary legal authority to prohibit, including, but not limited to:

   (a) Illicit connections and illicit discharges, and to remove illicit connections.

   (b) The discharge of non-storm water to the MS4 from:
      (1) Washing or cleaning of gas stations, auto repair garages, or other types of automotive service facilities.
      (2) Mobile auto washing, carpet cleaning, steam cleaning, sandblasting and other such mobile commercial and industrial operations.

(3) Areas where repair of machinery and equipment which are visibly leaking oil, fluid or antifreeze, is undertaken.
(4) Storage areas for materials containing grease, oil, or other hazardous substances, and uncovered receptacles containing hazardous materials.
(5) Swimming pool(s) that have a concentration greater than:
  (A) Chlorine/ bromine- 0.1mg/L.
  (B) Chloride- 250mg/L.
  (C) Cyanuric acid of 50ppm;
  (D) E. coli of 235/100 ml (fresh waters).
  (E) Fecal coliforms of 400/100 ml (fresh waters and marine waters).
  (F) Enterococcus of 104/100 ml (marine waters).
  (G) Total coliforms of 10,000/ 100 ml, or 1,000/ 100 ml if the ratio of fecal-to-total coliform exceeds 0.1 (marine waters).
(6) Swimming pool filter backwash.
(7) Decorative fountains and ponds.
(8) Industrial/ Commercial areas, including restaurant mats.
(9) Concrete truck cement, pumps, tools, and equipment washout.
(10) Spills, dumping, or disposal of materials other, such as:
  (A) Litter, landscape and construction debris, garbage, food, animal waste, fuel or chemical wastes, batteries, and any other materials which have the potential to adversely impact water quality; or
  (B) Any pesticide, fungicide or herbicide.
(11) Stationary and mobile pet grooming facilities.
(12) Trash container leachate.

2. The Permittees shall possess adequate legal authority to:

(a) Control through interagency agreement, the contribution of pollutants from one portion of the MS4 to another portion of the MS4.

(b) Require persons within their jurisdiction to comply with conditions in the Permittees' ordinances, permits, contracts, model programs, or orders (i.e. hold dischargers to its MS4 accountable for their contributions of pollutants and flows).

(c) Utilize enforcement measures (e.g., stop work orders, notice of violations, fines, referral to City, County, and/ or District Attorneys, referral to strikeforces, etc.) by ordinances, permits, contracts, orders, administrative authority, and civil and criminal prosecution.[1]

(d) Control pollutants, including potential contribution[2] in discharges of storm water runoff associated with industrial activities, including construction activities to its MS4, and control the quality of storm water runoff from industrial sites, including construction sites.

(e) Carry out all inspections, surveillance and monitoring procedures necessary to determine compliance and non-compliance with permit conditions including the prohibition on illicit discharges to the MS4.

(f) Require the use of control measures to prevent or reduce the discharge of pollutants to achieve water quality objectives.

(g) Require that Treatment Control BMPs be properly operated and maintained.

3. Each Permittee has adopted a Storm Water Quality Ordinance based upon a countywide model. Each Permittee will update its Storm Water Quality Ordinance to be able to enforce all requirements of this Order, no later than (6 months from adoption date).

4. Each Permittee shall submit no later than (180 days after adoption date), a statement by its legal counsel that the Permittee has obtained and possesses all necessary legal authority to comply with this Order through adoption of ordinances and/ or municipal code modifications.

C. Fiscal Resources

1. The Permittees shall allocate all necessary funds to implement the activities required to comply with the provisions of this Order.[3] Each Permittee shall:

(a) Submit an Annual Budget Summary that shall include:

[1] Where the Permittee has no direct authority, the Permittee is required to enter into an agreement with the agency or department that has the enforcement authority. In the case of private responsible parties such as, HOAs, the Permittee must retain enforcement authority.
[2] "Potential contributions" and "potential to discharge," means adequate legal authority to prevent an actual discharge of pollutants to the municipal separate storm sewer system.
[3] The sources of funding may be the general funds, and/or Benefit Assessment, plan review fees, permit fees, industrial/ commercial user fee, revenue bonds, grants or other similar funding mechanism.

(1) The storm water budget for the prior report year, using actual expenditures with written explanation where necessary for the implementation of the storm water program.

(2) The storm water budget for the upcoming report year, using estimated expenditures with written explanation where necessary for the implementation of the storm water program.

(3) The summary report shall identify for both the prior report year (actual expenditure) and the upcoming report year (estimated expenditure) the following specific categories:
- (A) Program Management Activities.
  - (i) Overall Administrative costs
- (B) Program Required Activities Implementation (storm water related activities only). Provide figures breakdown of expenditures for the categories below:
  - (i) Illicit connection/ illicit discharge.
  - (ii) Development planning.
  - (iii) Development construction.
  - (iv) Construction inspection activities.
  - (v) Industrial/ Commercial inspection activities.
  - (vi) Public Agency Activities.
    - (I) Maintenance of Structural BMPs and Treatment Control BMPs.
    - (II) Inspection of Structural BMPs and Treatment Control BMPs;
    - (III) Municipal Street Sweeping for Commercial/ Industrial land use only.
    - (IV) Catch basin clean-outs (include dumping fees separately).
    - (V) Storm drain clean-outs (include dumping fees separately).
    - (VI) Other costs (describe).
  - (vii) Public Information and Participation.
  - (viii) Monitoring Program.
  - (ix) Miscellaneous Expenditures (describe).

D. Modifications/ Revisions

1. No later than (90 days after Regional Water Board adoption of this Order) each Permittee shall modify storm water management programs, protocols, practices, and municipal codes to make them consistent with the requirements herein.

E. Designation and Responsibilities of the Principal Permittee

1. The Ventura County Watershed Protection District is hereby designated as the Principal Permittee. As such, the Principal Permittee shall:

   (a) Participate in the County Environmental Crimes Task Force.
   (b) Coordinate and facilitate activities necessary to comply with the requirements of this Order, but is not responsible for ensuring compliance of any individual Permittee.
   (c) Coordinate permit activities among Permittees and act as liaison between Permittees and the Regional Water Board on permitting issues.
   (d) Provide technical and administrative support for committees that will be organized to implement this Order and its requirements.
   (e) Evaluate, assess, and synthesize the results of the monitoring program and the effectiveness of the implementation of BMPs.
   (f) Convene the Management Committees (MCs) and subcommittees constituted pursuant to Part F, below, upon designation of representatives.
   (g) Implement the Countywide Monitoring Program required under the Order and evaluate, assess and synthesize the results of the monitoring program.
   (h) Provide personnel and fiscal resources for the collection, processing and submittal to the Regional Water Board of monitoring and annual reports, and summaries of other reports required under this Order.
   (i) Comply with the "Responsibilities of the Permittees" in Part 3.F., below.

F. Responsibilities of the Permittees

1. Each Permittee is required to comply with the requirements of this Order applicable to discharges within its boundaries (see Findings- Permit Coverage D.1 and D.2) and not for the implementation of the provisions applicable to the Principal Permittee or other Permittees. Each Permittees shall:

   (a) Comply with the requirements of this Order and any modifications thereto.
   (b) Coordinate among its internal departments and agencies, as necessary, to facilitate the implementation of the requirements of this Order applicable to such Permittees in an efficient and cost-effective manner.
   (c) Participate in intra-agency coordination (e.g., Planning Department, Fire Department, Building and Safety, Code Enforcement, Public Health, Parks and Recreation, and others) necessary to successfully implement the provisions of this Order.
   (d) Report, in addition to the Budget Summary, any supplemental dedicated budgets for the same categories.

(e) Be represented at all Management Committee Meetings, which will meet at least once a month.
(f) Be represented at all subcommittee meetings. Currently there are 5 subcommittees which were functional during the second permit term:
  (1) Residential/ Public Outreach.
  (2) Business & Illicit Discharge.
  (3) Planning and Land Development.
  (4) Construction.
  (5) Public Infrastructure.

PART 4 - SPECIAL PROVISIONS (BASELINE)

A. General Requirements

1. This Order and the provisions herein, are intended to develop, achieve, and implement a timely, comprehensive, cost-effective storm water pollution control program to reduce the discharge of pollutants in storm water to the MEP and achieve water quality objectives for the permitted areas in the County of Ventura.

2. Best Management Practice Substitution

   The Regional Water Board Executive Officer may approve any site-specific BMP substitution upon petition by a Permittee(s) and after public notice, if the Permittee can document that:

   (a) The proposed alternative BMP or program will meet or exceed the objective of the original BMP or program in the reduction of storm water pollutants.
   (b) The fiscal burden of the original BMP or program is substantially greater than the proposed alternative and does not achieve a substantially greater improvement in storm water quality.
   (c) The proposed alternative BMP or program will be implemented within a similar period of time.

B. Watershed Initiative Participation

1. The Principal Permittee consents to participate in appropriate water quality meetings for watershed management planning, including but not limited to the following:

   (a) Southern California Stormwater Monitoring Coalition (SMC).
   (b) SMC Regional Monitoring Programs.
   (c) Southern California Regional Bioassessment Program.
   (d) Calleguas Creek Watershed Management Plan.

(e) Santa Clara River Enhancement and Management Plan.
(f) Steelhead Restoration and Recovery Plan.
(g) Wetlands Recovery Project.
(h) Ventura County Task Force of the Wetlands Recovery Project.
(i) Southern California Bight Project.
(j) Other appropriate watershed planning groups.

C. Public Information and Participation Program (PIPP)

The Principal Permittee shall implement a Public Information and Participation Program (PIPP) that includes, but is not limited to, the requirements listed in this section. The Principal Permittee shall be responsible for developing and implementing the PIPP, and shall coordinate with Permittees to implement specific requirements. The objectives of the PIPP are as follows:

- To measurably increase the knowledge of the target audience about the MS4, the adverse impacts of storm water pollution on receiving waters and potential solutions to mitigate the impacts.
- To measurably change the waste disposal and storm water pollution generation behavior of target audiences by encouraging implementation of appropriate solutions.
- To involve and engage communities in Ventura County to participate in mitigating the impacts of storm water pollution.

1. Residential Program

(a) "No Dumping" Message
Each Permittee shall label all storm drain inlets that they own with a legible “no dumping” message. In addition, signs with prohibitive language discouraging illegal dumping shall be posted at designated public access points to creeks, other relevant water bodies, and channels. Signage and storm drain messages shall be legible and maintained.

(b) Public Reporting
Each Permittee will identify staff who will serve as the contact(s) person for reporting clogged catch basin inlets and illicit discharges/ dumping, faded or missing catch basin labels, and general storm water management information. Permittees shall include this information, updated by July 1 of each year, in public information media such as the government pages of the telephone book, and internet web sites. The Principal Permittee shall compile a list of the general public reporting contacts submitted by all Permittees and make this information available on the web site (http://www.vcstormwater.org/contact.htm) and upon

request. Each Permittee is responsible for providing current, updated information to the Principal Permittee.

(c) Outreach and Education
(1) The Principal Permittee shall implement the following activities:
(A) Conduct a Storm Water pollution prevention advertising campaign.
(B) Conduct Storm Water pollution prevention public service announcements.
(C) Distribute storm water pollution prevention public education materials to:
(i) Automotive parts stores.
(ii) Home improvement centers/ lumber yards/ hardware stores.
(iii) Pet shops/ feed stores.
(D) Public education materials shall include, but are not limited to information on the proper disposal, storage, and use of:
(i) Vehicle waste fluids.
(ii) Household waste materials.
(iii) Construction waste materials.
(iv) Pesticides, herbicides, and fertilizers (including integrated pest management practices-IPM).
(v) Green waste (including lawn clippings and leaves).
(vi) Animal wastes.
(E) Organize watershed Citizen Advisory Groups/ Committees to develop effective methods to educate the public about storm water pollution no later than (365 days after the adoption of this Order).
(F) Organize events targeted to residents and population subgroups; and
(G) Maintain the Countywide storm water website (www.vcstormwater.org), which shall include educational material listed in the preceding section C.1(c)(1)(C).
(2) The Principal Permittee shall develop a strategy to educate ethnic communities through culturally effective methods. Details of this strategy should be incorporated into the PIPP, and implemented, no later than (180 days after the adoption of this Order).
(3) Each Permittee shall continue the existing outreach program to residents on the proper disposal of litter, green waste, pet waste, proper vehicle maintenance, lawn care and water conservation practices.
(4) Each Permittee shall conduct educational activities within its jurisdiction and participate in countywide events.
(5) The Permittees shall make a minimum of 10 million impressions per year to the general public related to storm water quality, with a minimum of 5 million impression via newspaper, local TV access, local radio and/ or internet access.

(6) The Principal Permittee, in cooperation with the Permittees, shall provide schools within each School District in the County with materials, including, but not limited to, videos, live presentations, and other information necessary to educate a minimum of 50 percent of all school children (K-12) every 2 years on storm water pollution.
Pursuant to AB 1721 (2005), beginning January 1, 2007, the Permittees, in lieu of providing educational materials/ funding to School Districts in the County, may opt to provide an equivalent amount of funds or fraction thereof to the Environmental Education Account established within the State Treasury.[1] This option requires the written approval of the Regional Water Board Executive Officer.

(7) Each Permittee shall provide the contact information for their appropriate staff responsible for storm water public education activities to the Principal Permittee and contact information changes no later than 30 days after a change occurs.

(8) The Permittees shall develop and implement a strategy to measure the effectiveness of in-school educational programs. The protocol shall include assessment of students' knowledge of the adverse impacts of storm water pollution and solutions before and after educational programs are conducted. The strategy shall be implemented no later than (180 days after the adoption of this Order).

(9) The Permittees shall develop and implement a behavioral change assessment strategy no later than (180 days after the adoption of this Permit), in order to ensure that the PIPP is demonstrably effective in changing the behavior of the public. The strategy shall be developed based on current sociological data and studies.

(d) Pollutant-Specific Outreach

The Principal Permittee, in cooperation with Permittees, shall coordinate to develop outreach programs that focus on the watershed-specific pollutants identified in Attachment "B" (Pollutants of Concern) no later than (180 days after the adoption of this Order). Metals may be appropriately addressed through the Industrial/ Commercial Facilities Program (e.g. the distribution of educational materials on appropriate BMPs for metal fabrication and recycling facilities that have been identified as a potential source). Region-wide pollutants may be included in the Principal Permittee's mass media outreach program.

[1] Matching funds shall be equivalent to $10 per targeted student per year. Dollar value is to be indexed to the 2006/ 2007 fiscal year.

2. Businesses Program

(a) Corporate Outreach

(1) The Permittees shall develop and implement a Corporate Outreach program to educate and inform corporate managers about storm water regulations and BMPs. The program shall target a minimum of four RGO franchisers and cover a minimum of 80% of RGO franchisees in the county, four retail automotive parts franchisers, two home improvement center franchisers and six restaurant franchisers. Corporate Outreach for all target facilities shall be conducted not less than twice during the term of this Order, with the first outreach contact to begin no later than (2 years after the adoption of this Order). At a minimum, this program shall include:

(A) Conferring with corporate management to explain storm water regulations.

(B) Distribution and discussion of educational material regarding storm water pollution and BMPs, and provide managers with recommendations to facilitate employee and facility compliance with storm water regulations.

(2) Corporate Outreach for all RGOs, automotive parts stores, home improvement centers and restaurant chains corporations shall be conducted not less than twice during the term of this Order, with the first outreach contact to begin no later than (2 years after the adoption of this Order).

(b) Business Assistance Program

The Permittees shall implement a Business Assistance Program to provide technical resource assistance to small businesses to advise them on BMPs implementation to reduce the discharge of pollutants in storm water. The Program shall include:

(1) On-site technical assistance or consultation via telephone or e-mail to identify and implement storm water pollution prevention methods and best management practices.

(2) Distribution of storm water pollution prevention education materials to operators of auto repair shops, car wash facilities (including mobile car detailing), mobile carpet cleaning services, commercial pesticide applicator services and restaurants.

D. Industrial/ Commercial Facilities Program

Each Permittee shall require implementation of pollutant reduction and control measures at industrial and commercial facilities, with the objective of reducing pollutants in storm water. Except where specified otherwise in this Order, pollutant reduction and control measures may be used alone or in combination, and may include Structural Treatment Control, Source Control BMPs, and operation and maintenance procedures, which may be applied before, during, and/ or after pollution generating activities. At a minimum, the Industrial/ Commercial Facilities Control Program shall include requirements to: (1) track, (2) inspect, and (3) ensure compliance with municipal ordinances at industrial and commercial facilities that are critical sources of pollutants in storm water.

1. Inventory of Critical Sources

   (a) Each Permittee shall maintain a watershed-based inventory or database of all facilities within its jurisdiction that are critical sources of storm water pollution. Critical Sources to be tracked are summarized below, and specified in Attachment "D":

      (1) Commercial Facilities
         (A) Restaurants.
         (B) Automotive service facilities.
         (C) RGOs and automotive dealerships.
         (D) Nurseries and nursery centers.

      (2) U.S. EPA Phase I, II Facilities

      (3) Other Federally-mandated Facilities [as specified in 40 CFR 122.26(d)(2)(iv)(C)]
         (A) Municipal landfills.
         (B) Hazardous waste treatment, disposal, and recovery facilities.
         (C) Facilities subject to SARA Title III (also known as the Emergency Planning and Community Right-to-Know Act (EPCRA)).

   (b) Each Permittee shall include the following minimum fields of information for each critical sources industrial and commercial facility:
      (A) Name of facility and name of owner/ operator.
      (B) Address of facility.
      (C) Coverage under the IASGP or other individual or general NPDES permits or any applicable waiver issued by the Regional or State Board pertaining to runoff discharges.
      (D) A narrative description including Standard Industrial Classification (SIC) System/ North American Industry Classification System (NAICS) Codes that best describe the industrial activities performed

and principal products used at each facility and status of exposure to storm water.

(c) The Regional Water Board recommends that Permittees include additional fields of information, such as material usage and/ or industrial output, and discrepancies between SIC System/ NAICS Code designations (as reported by facility operators) and identify the actual type of industrial activity that has the potential to pollute storm water. In addition, the Regional Water Board recommends the use of an automated database system, such as a Geographical Information System (GIS) or Internet-based system.

(d) Each Permittee shall update its inventory of critical sources at least annually. The update may be accomplished through collection of new information obtained through field activities or through other readily available inter and intra-agency informational databases (e.g. business licenses, pretreatment permits, sanitary sewer hook-up permits, and similar information).

2. Inspect Critical Sources

(a) Commercial Facilities

Each Permittee shall inspect all facilities identified in Part 4 D.2. twice during the 5-year term of the Order, provided that the first inspection occurs no later than (2 years from the adoption of this Order). A minimum interval of six months between the first and the second mandatory compliance inspection is required. In addition, each Permittee shall implement the activities outlined in the following subsections. At each facility, inspectors shall verify that the operator is implementing the mandatory source control BMPs. The Permittees shall require implementation of additional treatment control BMPs where storm water flows from the MS4 discharge to an ESA or a CWA § 303(d) listed waterbody (see section 3(b) below). Likewise, for those BMPs that are not adequate to achieve MALs and/ or water quality objectives, Permittees may require additional site-specific controls, such as treatment control BMPs.

(1) Restaurants-

Level of inspections: Each Permittee, in cooperation with its appropriate department (such as health or public works), shall inspect all restaurants within its jurisdiction to confirm that storm water BMPs are being effectively implemented in compliance with State law, County and municipal ordinances. BMPs in the following Table 2 shall be implemented, unless the pollutant generating activity does not occur.

Table 2

Pollutant-Generating Activity	BMP Narrative Description	2003 California Stormwater BMP Handbook Industrial and Commercial BMP Identification #
Waste/ Hazardous Materials Storage, Handling and Disposal	Distribution of educational materials on storm water pollution prevention practices to the public.	By Municipality
Unauthorized Non-Storm Water Discharges	Effective elimination of non-storm water discharges.	SC-10
Accidental Spills/ Leaks	Implementation of effective spills/ leaks prevention and response procedures.	SC-11
Outdoor Storage of Raw Materials	Implementation of effective source control practices and structural devices.	SC-33
Storage and Handling of Solid Waste	Implementation of effective solid waste storage/ handling practices and appropriate control measures	SC-34
Parking/ Storage Area Maintenance	Implementation of effective parking/ storage area designs and housekeeping/ maintenance practices	SC-43
Storm Water Conveyance System Maintenance	Implementation of proper conveyance system operation and maintenance protocols.	SC-44

(2) Automotive Service Facilities-

Level of Inspection: Each Permittee shall confirm that BMPs are being effectively implemented at each facility within its jurisdiction, in compliance with County and municipal ordinances. The inspections shall verify that BMPs in the following Table 3 are being implemented, unless the pollutant generating activity does not occur.

Table 3

Pollutant-Generating Activity	BMP Narrative Description	2003 California Stormwater BMP Handbook Industrial and Commercial BMP Identification #
Unauthorized Non-Storm Water Discharges	Effective elimination of non-storm water discharges.	SC-10
Accidental Spills/ Leaks	Implementation of effective spills/ leaks prevention and response procedures.	SC-11
Vehicle/ Equipment Fueling.	Implementation of effective fueling source control devices and practices.	SC-20
Vehicle/ Equipment Cleaning.	Implementation of effective equipment/ vehicle cleaning practices and appropriate wash water management practices	SC-21
Vehicle/ Equipment Repair	Implementation of effective vehicle/ equipment repair practices and source control devices.	SC-22
Outdoor Liquid Storage	Implementation of effective outdoor liquid storage source controls and practices.	SC-31
Outdoor Storage of Raw Materials	Implementation of effective source control practices and structural devices.	SC-33
Storage and Handling of Solid Waste	Implementation of effective solid waste storage/ handling practices and appropriate control measures	SC-34
Parking/ Storage Area Maintenance	Implementation of effective parking/ storage area designs and housekeeping/ maintenance practices	SC-43
Storm Water Conveyance System Maintenance Practices	Implementation of proper conveyance system operation and maintenance protocols.	SC-44

(3) Retail Gasoline Outlets and Automotive Dealerships-

Level of Inspections: Each Permittee shall confirm that BMPs are being effectively implemented at each facility within its jurisdiction, in compliance with County and municipal ordinances. The inspections shall verify that BMPs in the following Table 4 are being implemented, unless the pollutant generating activity does not occur.

Table 4

Pollutant-Generating Activity	BMP Narrative Description	2003 California Stormwater BMP Handbook Industrial and Commercial BMP Identification #
Unauthorized Non-Storm Water Discharges	Effective elimination of non-storm water discharges.	SC-10
Accidental Spills/ Leaks	Implementation of effective spills/ leaks prevention and response procedures.	SC-11
Vehicle/ Equipment Fueling	Implementation of effective fueling source control devices and practices.	SC-20
Vehicle/ Equipment Cleaning	Implementation of effective wash water control devices.	SC-21
Outdoor Storage of Raw Materials	Implementation of effective source control practices and structural devices.	SC-33
Storage and Handling of Solid Waste	Implementation of effective solid waste storage/ handling practices and appropriate control measures	SC-34
Building and Grounds Maintenance	Implementation of effective facility maintenance practices.	SC-41
Parking/ Storage Area Maintenance	Implementation of effective parking/ storage area designs and housekeeping/ maintenance practices	SC-43

(4) Commercial Nurseries and Nursery Centers (Merchant Wholesalers, Nondurable Goods, and Retail Trade)-

Level of Inspection: Each Permittee shall confirm that BMPs are being effectively implemented at each facility within its jurisdiction, in compliance with County and municipal ordinances. The inspections shall verify that BMPs in the following Table 5 are being implemented, unless the pollutant generating activity does not occur.

Table 5

Pollutant-Generating Activity	BMP Narrative Description	2003 California Stormwater BMP Handbook Industrial and Commercial BMP Identification #
Unauthorized Non-Storm Water Discharges	Effective elimination of non-storm water discharges.	SC-10
Outdoor Loading/ Unloading	Implementation of effective outdoor loading/ unloading practices.	SC-30
Outdoor Liquid Storage	Implementation of effective outdoor liquid storage source controls and practices.	SC-31
Outdoor Equipment Operations	Implementation of effective outdoor equipment source control devices and practices.	SC-32
Outdoor Storage of Raw Materials	Implementation of effective source control practices and structural devices.	SC-33
Building and Grounds Maintenance	Implementation of effective facility maintenance practices.	SC-41

(A) For nursery operations (Agricultural Facilities) in the NAICS Code 11142x - Nursery and Floriculture Production, which are subject to the Conditional Waiver, each Permittee shall:
  (i) Verify enrollment under the Conditional Waiver by recording a valid identification number.
  (ii) Notify all nonfilers of their lawful obligation to apply for coverage under the Regional Water Board's Conditional Waiver.

(B) Permittees shall submit a list of facility names in the NAICS Code 11142x that have been notified to apply for the Conditional Waiver (nonfilers). The list of nonfilers shall be electronically sent to the Regional Water Board's Regional Programs at the following e-mail address: sunger@waterboards.ca.gov.

(b) Industrial Facilities

Each Permittee shall conduct compliance inspections at Phase I, II facilities as specified below.

(1) **Frequency of Inspection**

(A) Each Permittee shall perform an initial inspection at all industrial facilities identified by the U.S. EPA in 40 CFR 122.26(c) no later than (2 years after the adoption of the Order). After the initial inspection, all facilities determined as having exposure of industrial activities to storm water are subject to a second mandatory compliance inspection. A minimum interval of 6 months between the first and the second compliance inspection is required.

(B) Following the first mandatory compliance inspection, a Permittee shall perform a second mandatory compliance inspection yearly at a minimum of 20% of the facilities determined not to have exposure of industrial activities to storm water. The purpose of this inspection is to verify the continuity of the no exposure status. Facilities determined as having exposure will be notified that they must obtain coverage under the IASGP. A facility need not be inspected more than twice during the term of the Order unless subject to an enforcement action. A minimum interval of 6 months in between the first and the second compliance inspection is required.

(C) Applicable to all facilities: A Permittee need not inspect facilities that have been inspected by the Regional Water Board within the previous 24 month interval. However, if the Regional Water Board performed only one inspection, the Permittee shall conduct the second required mandatory compliance inspection.

(2) **Level of Inspection:** Each Permittee shall confirm that each operator:

(A) Has a current Waste Discharge Identification (WDID) number for facilities discharging storm water associated with industrial activity, and that a Storm Water Pollution Prevention Plan (SWPPP) is available on-site; and,

(B) Is effectively implementing BMPs in compliance with County and municipal ordinances. Facilities must implement the source control BMPs identified in Part 4. D. 3. and Appendix D, *California Stormwater Industrial and Commercial BMP Handbook (2003)*. The Permittees shall require implementation of additional treatment control BMPs where the storm water from the MS4 discharges to a CWA § 303(d) listed waterbody; or.

(C) Has applied and has a current No Exposure Certification (and WDID number) for facilities subject to this requirement.

3. Ensure Compliance of Critical Sources

(a) **BMP Implementation:** In the event that a Permittee determines that a BMP is infeasible at any site, including those specified in the California Stormwater Industrial and Commercial BMP Handbook (2003), the Permittee shall require implementation of similar BMPs that will achieve the equivalent reduction of pollutants in the storm water discharges. Likewise, for those BMPs that are not adequate to achieve MALs and/ or water quality objectives, Permittees may require additional site-specific controls, such as treatment control BMPs.

(b) **ESAs and Impaired Waters:** For critical sources that discharge to ESAs or that are tributary to CWA § 303(d) listed impaired waterbodies, the Permittees shall require operators to implement additional controls to reduce pollutants in storm water runoff that are causing or contributing to exceedences of MALs and/ or water quality objectives.

(c) **Progressive Enforcement:** Each Permittee shall implement a progressive enforcement policy to ensure that facilities are brought into compliance with all storm water requirements within a reasonable time period as specified below.

(1) In the event that a Permittee determines, based on an inspection conducted, that an operator has failed to adequately implement all necessary BMPs, that Permittee shall take progressive enforcement actions which, at a minimum, shall include a follow-up inspection within 4 weeks from the date of the initial inspection.

(2) In the event that a Permittee determines that an operator has failed to adequately implement BMPs after a follow-up inspection, that Permittee shall take further enforcement action as established through authority in its municipal code and ordinances or through the judicial system.

(3) Each Permittee shall maintain records and make them available on request to the Regional Water Board, including inspection reports, warning letters, notices of violations, and other enforcement records, demonstrating a good faith effort to bring facilities into compliance.

(d) Interagency Coordination

(1) **Referral of Violations of the Municipal Storm Water Ordinances and California Water Code § 13260:** A Permittee may refer a violation(s) to the Regional Water Board provided that that Permittee has made a good faith effort of progressive enforcement. At a minimum, a Permittee's good faith effort must be documented with:

(A) Two follow-up inspections, and
(B) Two warning letters or notices of violation.

(2) **Referral of Violations of the Industrial Activities Storm Water General Permit (IASGP), including Requirements to File a Notice of Intent or No Exposure Certification:** For those facilities in violation of the IASGP, Permittees may escalate referral of such violations to the Regional Water Board (electronically on a quarterly basis to the Regional Water Board's Storm Water Site at MS4stormwaterrb4@waterboards.ca.gov) after one inspection and one written notice (copied to the Regional Water Board) to the operator regarding the violation. In making such referrals, Permittees shall include, at a minimum, the following documentation:

(A) Name of the facility.
(B) Operator of the facility.
(C) Owner of the facility.
(D) Industrial activity being conducted at the facility that is subject to the IASGP.
(E) Records of communication with the facility operator regarding the violation, which shall include at least an inspection report.
(F) The written notice of the violation copied to the Regional Water Board.

(3) **Investigation of Complaints Regarding Facilities – Transmitted by the Regional Water Board Staff:** Each Permittee shall initiate, within one business day,[1] investigation of complaints (other than non-storm water discharges) regarding facilities within its jurisdiction. The initial investigation shall include, at a minimum, a limited inspection of the facility to confirm the complaint to determine if the facility is effectively complying with the municipal storm water urban runoff ordinances, and to oversee corrective action.

(4) **Support of Regional Water Board Enforcement Actions:** As directed by the Regional Water Board Executive Officer, Permittees shall support Regional Water Board enforcement actions by: assisting in identification of current owners, operators, and lessees of facilities; providing staff, when available, for joint inspections with Regional Water Board inspectors; appearing as witnesses in Regional Water Board enforcement hearings; and providing copies of inspection reports and other progressive enforcement documentation.

(5) **Participation in a Task Force:** The Permittees consent to participate with the Regional Water Board, and other public agencies on an enforcement task

[1] Permittees may comply with the Permit by taking initial steps (such as logging, prioritizing, and tasking) to "initiate" the investigation within that one business day. However, the Regional Water Board would expect that the initial investigation, including a site visit, to occur within four business days.

force such as the Storm Water Task Force, to communicate concerns regarding special cases of storm water violations by industrial and commercial facilities and to develop a coordinated approach to enforcement action.

E. Planning and Land Development Program

1. The Permittees shall implement a development-planning program that will require all New Development and Redevelopment projects to:

   (a) Minimize impacts from storm water runoff on the biological integrity of Natural Drainage Systems and water bodies in accordance with requirements under CEQA (Cal. Pub. Resources Code § 21100), CAL. WATER CODE §13369, CWA § 319, CWA § 402(p), CWA § 404, CZARA § 6217(g), ESA § 7, and local government ordinances.
   (b) Minimize pollutants emanating from impervious surfaces by reducing the percentage of Effective Impervious Area[1] to less than 5 percent of total project area.
   (c) Minimize the percentage of impervious surfaces on development lands to support the percolation and infiltration of storm water into the ground.
   (d) Minimize pollution emanating from impervious surfaces on developed land such as roof-tops, parking lots, and roadways through the use of appropriate Source Controls (good housekeeping practices), Low Impact Development Strategies, and Treatment Control BMPs.
   (e) Properly design and maintain Treatment Control BMPs (in order to avoid the breeding of vectors).[2]
   (f) Select an integrated approach to mitigate storm water pollution by utilizing a suite of controls in the following order of preference to remove storm water pollutants, reduce storm water runoff volume, and beneficially reuse storm water:
      (1) Low Impact Development Strategies.
      (2) Integrated Water Resources Management Strategies.
      (3) Multi-benefit Natural Feature BMPs.
      (4) Prefabricated/ Proprietary Treatment Control BMPs.

[1] Effective Impervious Area means that portion of the impervious area that is hydrologically connected via sheet flow or a discrete hardened conveyance to a drainage system or a receiving water body. Impervious surfaces may be rendered "ineffective" if the storm water runoff is dispersed through properly designed vegetated swales (native vegetation) using approved dispersion techniques.
[2] Treatment BMPs when designed to drain within 72 hours of the end of rainfall minimize the potential for the breeding of vectors.

I. Low Impact Development

1. All new development and redevelopment projects shall integrate Low Impact Development (LID) principles into project design. LID is a storm water management and land development strategy that emphasizes conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect predevelopment hydrologic functions. LID is primarily a source control strategy, and minimizes the need for large sub-regional and regional treatment control BMPs.

2. The Permittees shall develop a LID Technical Guidance Document no later than (18 months from the Order's adoption date) for use by Land Planners and Developers. The LID Technical Guidance Document shall include objectives and specifications for LID in the areas of:
   (a) Site Assessment.
   (b) Site Planning and Layout.
   (c) Vegetative Protection, Revegetation and Maintenance.
   (d) Techniques to Minimize Land Disturbance.
   (e) Integrated Management Practices.
   (f) LID Design and Flow Modeling Guidance.
   (g) Hydrologic Analysis.
   (h) LID Translators.

3. The Permittees will facilitate implementation of LID by providing key industry, regulatory, and stakeholders with LID objectives and specifications developed in the LID Technical Guidance Document through a training program. The LID training program will include the following:
   (a) LID targeted sessions and materials for builders, design professionals, regulators, resource agencies, and stakeholders.
   (b) A combination of awareness on national efforts and local experience gained through LID pilot projects and demonstration projects.
   (c) Materials and data from LID pilot projects and demonstration projects including case studies.
   (d) Guidance on how to integrate LID requirements into the local regulatory program(s) and requirements.
   (e) Availability of the LID Technical Guidance Document.

II. Numeric Hydromodification Mitigation Criteria

1. Hydrologic (Flow/ Volume/ Duration) Control

(a) Each Permittees shall require all new development and redevelopment projects to implement hydrologic control measures, to prevent accelerated downstream erosion and to protect stream habitat in natural drainage systems. The purpose of the hydrologic controls is to minimize changes in post-development hydrologic storm water runoff discharge rates, velocities, and duration. This shall be achieved by maintaining the project's pre-development storm water runoff flow rates and durations.

(b) Natural drainage systems, including tributaries, are located in the following watersheds:
   (1) Ventura River.
   (2) Santa Clara River.
   (3) Calleguas Creek.
   (4) Miscellaneous Ventura Coastal.

(c) Hydrologic Control in natural drainage systems shall be achieved by maintaining the Erosion Potential (E_p) in streams at a value of 1, unless an alternative value can be shown to be protective of the natural drainage systems from erosion, incision, and sedimentation that can occur as a result of flow increases from impervious surfaces and damage stream habitat.[1]

(d) The Southern California Storm Water Monitoring Coalition (SMC) is expected to initiate a study to develop a regional methodology to eliminate or mitigate the adverse impacts of hydromodification as a result of urbanization, including hydromodification assessment and management tools.[2] The SMC has identified the following objectives for the second Phase of the Hydromodification Control Study (HCS):
   (1) Establishment of a stream classification for Southern California streams.
   (2) Development of a deterministic or predictive relationship between changes in watershed impervious cover and stream-bed/ stream bank enlargement.

[1] See Attachment "E" - Determination of Erosion Potential.
[2] Coleman, D., C. MacRae, and E. Stein. 2005. Effect of Increases in Peak Flows and Imperviousness on the Morphology of Southern California Streams. Technical Report 450. Southern California Coastal Water Research Project. 70 pp.

(3) Development of a numeric model to predict stream-bed/ stream bank enlargement and evaluate the effectiveness of mitigation strategies.

(e) Until the completion of the SMC's HCS, Permittees shall continue to implement the following Interim Hydromodification Criteria to control the adverse impacts of changes in hydrology that result from new development and redevelopment projects. The Interim Hydromodification Impact Criteria are:

(1) **Projects disturbing land area of less than fifty acres**
Hydrologic control for projects in this size category shall involve matching the Hydrograph for the 2-year post development peak flow, volume, and duration to the pre-development peak flow, volume, and duration for the 2-year 24 hour storm event (not exceeding the pre-development flows).

(2) **Projects disturbing land areas of fifty acres or greater** [1]
Hydrologic control for projects in this size category shall involve the completion of a Hydromodification Analysis Study (HAS) by the project proponent to demonstrate that post development conditions are not expected to alter the duration of sediment transporting flows in receiving streams and tributaries. The HAS must demonstrate that the selected hydrologic controls will maintain an Erosion Potential value of 1 unless an alternative value can be shown to be protective of the natural drainage systems from erosion, incision, and sedimentation that can occur as a result of flow increases from impervious surfaces and damage stream habitat in natural drainage system tributaries.

(f) The Permittees shall participate in the second phase of the SMC's HCS to develop a regional stream classification system, a numerical model to predict the hydrological changes resulting from new development and to identify effective mitigation strategies. Should the SMC not proceed with the HCS, Permittees shall complete a similar study limited to the area of Ventura County no later than (18 months from the Order's adoption).

(g) Hydromodification Control Plan

(1) On completion of the HCS (SMC HCS or Permittee HCS), the Permittees shall develop and implement Watershed Hydromodification Control Plans (HCPs), no later than 6 months after the completion of the HCS. The HCP shall identify tributary classifications, flow rate

[1] 91st percentile of all construction projects covered under the general construction permit (CASGP) in Southern California.

and duration control methods, sub-watershed mitigation strategies, and any in-stream controls, which will maintain the stream and tributary Erosion Potential at 1 unless an alternative value can be shown to be protective of the natural drainage systems from erosion, incision, and sedimentation that can occur as a result of flow increases from impervious surfaces and damage stream habitat in natural drainage system tributaries.

(2) The HCS shall contain the following elements:
- (A) Hydromodification Management Standard: Storm water discharges from applicable new development and redevelopment projects shall not cause an increase in the erosion potential of the receiving creek over the pre-project (existing) condition.
- (B) Natural Drainage Areas and Hydromodification Management Control Areas.
- (C) Projects subject to Controls including Redevelopment Projects.
- (D) Description of authorized Hydromodification Management Controls.
- (E) Hydromodification Management Control Design Criteria.
- (F) Range of flows to control namely matching post development discharge rates and durations from critical flow on up to the pre-development 10-year peak flow (or equivalent alternative criteria).
- (G) Goodness of fit criteria.
- (H) Allowable low flow rate.
- (I) Description of the approved Hydromodification Model.
- (J) Any alternate Hydromodification Management Model and Design.
- (K) In-Stream Measures Design Criteria.
- (L) Record Keeping.

III. **Post-Construction Storm Water Mitigation Criteria**

1. Post-Construction Storm Water BMP Program and Project Applicability

(a) Each Permittee shall require that during the construction of a single-family hillside home, measures be taken to:
- (1) Conserve natural areas.
- (2) Protect slopes and channels.
- (3) Provide storm drain system stenciling and signage.
- (4) Divert roof runoff to vegetated areas before discharge unless the diversion would result in slope instability.

(5) Direct surface flow to vegetated areas before discharge unless the diversion would result in slope instability.

(b) Each Permittee shall require that all development projects equal to 1 acre or greater of disturbed area be subject to conditioning and approval for the design and implementation of post-construction treatment controls and BMPs to mitigate storm water pollution.

(c) Each Permittee shall require, in addition, that the following development projects be subject to conditioning and approval for the design and implementation of post-construction treatment controls and BMPs to mitigate storm water pollution:
(1) Industrial park 5,000 square feet or more of surface area;
(2) Commercial strip mall 5,000 square feet or more of surface area;
(3) Retail gasoline outlet 5,000 square feet or more of surface area;
(4) Restaurant (SIC 5812) 5,000 square feet or more of surface area;
(5) Parking lot 5,000 square feet or more of surface area or with 25 or more parking spaces;
(6) Streets, roads, highways, and freeway construction of 5,000 square feet or more of surface area;
(7) Automotive service facilities (SIC 5013, 5014, 5541, 7532-7534 and 7536-7539) [5,000 square feet or more of surface area]; and
(8) Redevelopment projects in subject categories that meet Redevelopment thresholds (identified below in section III.4).

(d) Each Permittee shall require, in addition, that post-construction BMPs be subject to conditioning and approval for the design and implementation of post-construction treatment controls and BMPs to mitigate storm water pollution at development projects located in or directly adjacent to, or discharging directly to an Environmentally Sensitive Area (ESA), where the development will:
(1) Discharge storm water runoff that is likely to impact a sensitive biological species or habitat.
(2) Create 2,500 square feet or more of impervious surface area.

2. Tiered Numeric Water Quality Design Criteria

(a) **Projects disturbing land areas less than 50 acres**
Each Permittee shall require that post-construction treatment control BMPs incorporate, at a minimum, a volumetric and/ or hydrodynamic (flow based) treatment control design standard, consistent with the objectives stated in Part 4. E.1. and as identified below to mitigate (infiltrate, filter or treat) storm water:

(1) Volumetric Treatment Control BMP
   (A) The 85th percentile 24-hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in *Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998*); or
   (B) The volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment (Ventura County Technical Manual); or
   (C) The volume of runoff produced from a 0.75 inch storm event, prior to its discharge to a storm water conveyance system;[1] and/ or

(2) Hydrodynamic (Flow Based) Treatment Control BMP
   (A) The flow of runoff produced from a rain event equal to at least 0.2 inches per hour intensity; or
   (B) The flow of runoff produced from a rain event equal to at least 2 times the 85th percentile hourly rainfall intensity for Ventura County; or
   (C) Ten percent of the 50-year storm design flow rate.

(b) **Projects disturbing land area of 50 acres or greater**
Each Permittee shall require that post-construction treatment control BMPs be:
   (1) Designed using an appropriate public domain hydrodynamic model (such as Storm Water Management Model (SWMM) 5 or Hydrologic Engineering Center – Hydrologic Simulation Program – Fortran (HEC-HSPF); and incorporate the following:
      (A) Rainfall intensity based on hourly rainfall records;
      (B) An adjustment factor for within hour rainfall variability; and
      (C) Hydraulics of BMP Performance.
   (2) Satisfy the objectives identified for storm water quality management identified in Part 4. E.1.

3. Site Specific Mitigation

(a) Each Permittee shall require the implementation of a site-specific plan to mitigate post-development storm water for new development and redevelopment projects not identified in Parts 4. E. III.1(b), III.1(c), and III.1(d), but which may potentially have adverse impacts on

[1] This option is not available for construction projects that disturb land area 5 acres or greater.

post-development storm water quality, where 1 or more of the following project characteristics exist:

(1) Vehicle or equipment fueling areas;
(2) Vehicle or equipment maintenance areas, including washing and repair;
(3) Commercial or industrial waste handling or storage;
(4) Outdoor handling or storage of hazardous materials;
(5) Outdoor manufacturing areas;
(6) Outdoor food handling or processing;
(7) Outdoor animal care, confinement, or slaughter; or
(8) Outdoor horticulture activities.

4. Redevelopment Projects

(a) Each Permittee shall apply the post-construction BMP requirements, or site specific requirements including post-construction storm water mitigation to all projects that undergo significant Redevelopment in their respective categories.

(b) Significant Redevelopment means land-disturbing activity that results in the creation or addition or replacement of 5,000 square feet or more of impervious surface area on an already developed site.
   (1) Where Redevelopment results in an alteration to more than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post development storm water quality control requirements, the entire project must be mitigated.
   (2) Where Redevelopment results in an alteration to less than fifty percent of impervious surfaces of a previously existing development, and the existing development was not subject to post development storm water quality control requirements, only the alteration must be mitigated, and not the entire development.

(c) Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of facility or emergency redevelopment activity required to protect public health and safety. Impervious surface replacement, such as the reconstruction of parking lots and roadways, is not considered a routine maintenance activity.

(d) Existing single-family structures are exempt from the Redevelopment requirements.

5. Maintenance Agreement and Transfer

(a) Each Permittee shall require that all development projects subject to post-construction BMP requirements and site specific plan requirements provide verification of maintenance provisions for Structural and Treatment Control BMPs, including but not limited to legal agreements, covenants, CEQA mitigation requirements, and/ or conditional use permits.
(1) Verification at a minimum shall include:
(A) The developer's signed statement accepting responsibility for maintenance until the responsibility is legally transferred; and either
(B) A signed statement from the public entity assuming responsibility for Structural or Treatment Control BMP maintenance and that it meets all local agency design standards; or
(C) Written conditions in the sales or lease agreement, which requires the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year; or
(D) Written text in project conditions, covenants and restrictions (CCRs) for residential properties assigning maintenance responsibilities to the Home Owners Association (HOA) for maintenance of the Structural and Treatment Control BMPs; or
(E) Written conditions in the sales or lease agreement, which requires the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year; or
(F) Any other legally enforceable agreement that assigns responsibility for the maintenance of post-construction Structural or Treatment Control BMPs.

6. Development Planning Coordination and Enforcement

(a) Each Permittee shall implement a program to inspect and enforce on new development and redevelopment projects for post-construction control BMPs.
(1) Prior to approving and signing off for occupancy and issuing the Certificate of Occupancy for all new development and redevelopment projects subject to post-construction control BMPs, each Permittee shall inspect the constructed site design, Structural control and Treatment control BMPs to verify that they have been constructed in compliance with all specifications, plans, permits, ordinances, and this Order.

(b) The State/ U.S. EPA permitting authority may undertake the following actions for coordination with the post-construction BMP provisions of the State construction activity storm water general permit or individual storm water construction permits.

(1) Absence of Post-Construction BMPs

(A) If the State/ U.S. EPA inspection does not readily identify the implementation of post-construction control BMPs at the site, the Regional Water Board will start progressive enforcement action against the Permittee and/ or project owner/ developer.

(B) Failure to implement post-construction control BMPs, or implementing ineffective BMPs may be grounds for the State/ U.S. EPA permitting authority to deny the Notice of Termination (NOT).

(2) Inadequate or Ineffective Post-Construction BMPs

(A) If the State/ U.S. EPA inspection identifies the implementation of post-construction BMPs, but they are determined to be inadequate or ineffective (e.g. undersized, or non-specific to pollutants of concern, or poorly maintained), the Regional Water Board will start progressive enforcement action against the Permittee and/ or project owner/ developer.

(B) Implementation of inadequate or ineffective BMPs may be grounds for the State/ U.S. EPA permitting authority to deny the Notice of Termination (NOT) for the project.

7. Regional and Redevelopment Area Storm Water Mitigation

(a) A Permittee or a coalition of Permittees may apply to the Regional Water Board for approval of a regional or sub-regional storm water mitigation program to substitute in part or wholly for on-site post-construction requirements. Upon review and a determination by the Regional Water Board Executive Officer that the proposal is technically valid and appropriate, the Regional Water Board may consider for approval such a program if its implementation will:

(1) Result in equivalent or improved storm water quality.
(2) Protect stream habitat.
(3) Promote cooperative problem solving by diverse interests.
(4) Be fiscally sustainable and has secure funding.
(5) Be completed in four years or less including the construction and start-up of treatment facilities.

(b) A Permittee may apply to the Regional Water Board for approval of a Redevelopment Project Area Master Plan (RPAMP) for redevelopment

projects within Redevelopment Project Areas, in consideration of balancing the environment with the needs for adequate housing, population growth, public transportation and management, land recycling, and urban revitalization. The RPAMP may substitute in part or wholly for on-site post-construction requirements. Upon review and a determination by the Regional Water Board Executive Officer that the proposal is technically valid and appropriate, the Regional Water Board may consider for approval such a program if its implementation will result in equivalent or improved storm water quality.

(1) Redevelopment Project Areas include (a) City Center areas, (b) Historic Districts areas, (c) Brownfield areas, (d) Urban Transit Villages; and (e) any other redevelopment area so designated by the Regional Water Board.

(c) Nothing in these provisions shall be construed as to delay the implementation of post-construction control requirements, as approved in this Order.

8. Mitigation Funding

(a) The Permittees may propose a management framework, for approval by the Regional Water Board Executive Officer, to support regional or subregional solutions to storm water pollution, where any of the following situations occur:
   (1) A waiver for impracticability is granted;
   (2) Funds become available;
   (3) Off-site mitigation is required because of loss of environmental habitat; or
   (4) An approved watershed management plan, or an integrated water resources management plan, or a regional storm water mitigation plan, or a wetlands recovery plan exists that incorporates an equivalent or improved strategy for storm water pollution mitigation.

9. Inspection and Tracking System for Post-Construction Treatment Control BMPs

(a) Each Permittee shall develop and implement no later than (6 months from this Order's adoption) the following:
   (1) A GIS or other electronic system for tracking projects that have been conditioned for post-construction treatment control BMPs. The electronic system, at a minimum, should contain the following information:
      (A) Municipal Project ID.

(B) State WDID No.
(C) Project Acreage.
(D) BMP Type and Description.
(E) BMP Location (coordinates).
(F) Date of Acceptance.
(G) Date of O&M Certification.
(H) Maintenance Records.
(I) Inspection Date and Summary.
(J) Corrective Action.
(K) Date Certificate of Occupancy Issued.
(L) Replacement or Repair Date.

(2) A post-construction treatment control BMP inspection program to verify proper maintenance and operation of post-construction treatment control BMPs previously approved. The inspection program, at a minimum shall consist of the following elements:
(A) Post-construction treatment control BMP acceptance inspection to ensure proper installation.
(B) Post-construction treatment control BMP Inspection check list.
(C) Inspection at least once every 2 years, beginning (1 year after the Order's adoption), of post-construction treatment control BMPs to ensure treatment effectiveness, hydraulic function, and vector risk minimization, with particular attention to:
(i) Conventional Treatment BMPs - failure, invasive species vegetation, fugitive material, sediment clogging, and improper modifications.
(ii) Non-Proprietary Treatment Control BMPs – solids removal, pump-out, blockage and drawdown drainage;
(D) Criteria and procedures for Treatment Control BMP repair, replacement, or re-vegetation.

10. Developer Technical Guidance and Information

(a) The Ventura County Technical Guidance Manual for Storm Water Quality Control Measures shall be updated to include, at a minimum, the following:
(1) Hydrologic (Flow/ Volume/ Duration) Control criteria described herein and the interim criteria based on hydrograph matching.
(2) Expected BMP pollutant removal performance including consistent effluent quality and removal efficiency ranges (International BMP Database, technical reports and the scientific literature).
(3) Appropriate BMPs for storm water POCs.
(4) Data on Observed Local Effectiveness and performance of implemented BMPs.

(5) BMP Maintenance and Cost Considerations.
(6) Criteria to facilitate integrated water resources planning and management in the selection of BMPs, including water conservation, groundwater recharge, public recreation, multipurpose parks, open space preservation, and redevelopment retrofits.
(7) LID principles and specifications.

11. Project Review and Inter Department Coordination

(a) Each Permittee shall facilitate a process for effective approval of post-construction control measures. The process shall include:
(1) Detailed BMP review including BMP sizing calculations, BMP pollutant removal effectiveness, and municipal approval.
(2) An established structure for communication and delineated authority between and among municipal departments which have jurisdiction over project review, plan approval, and project construction through memoranda of understanding (MOU).

12. California Environmental Quality Act (CEQA) Document Update

(a) Each Permittee shall incorporate into its CEQA process, with immediate effect, procedures for considering potential storm water quality impacts and providing for appropriate mitigation when preparing and reviewing CEQA documents. The procedures shall require consideration of the following:
(1) Potential impact of project construction on storm water runoff.
(2) Potential impact of project post-construction activity on storm water runoff.
(3) Potential for discharge of storm water from areas from material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.
(4) Potential for discharge of storm water to impair the beneficial uses of the receiving waters or areas that provide water quality benefit.
(5) Potential for the discharge of storm water to cause significant harm on the biological integrity of the waterways and water bodies.
(6) Potential for significant changes in the flow velocity or volume of storm water runoff that can cause environmental harm.
(7) Potential for significant increases in erosion of the project site or surrounding areas.

13. General Plan Update

(a) Each Permittee shall amend, revise or update its General Plan to include watershed and storm water quality and quantity management considerations and policies when any of the following General Plan elements are updated or amended:
(1) Land Use.
(2) Housing.
(3) Conservation.
(4) Open Space.

(b) Each Permittee shall provide the Regional Water Board with the draft amendment or revision when a listed General Plan element or General Plan is noticed for comment in accordance with Cal. Govt. Code § 65350 *et seq*.

F. Development Construction Program

Sediment losses due to erosion on construction sites are exacerbated during the wet season. Sediment is a primary pollutant impacting beneficial uses of watercourses. Sedimentation and siltation adversely affect fish spawning, and in time, alter aquatic habitat. Other pollutants including pesticides, herbicides, fertilizers, and metals, adsorb onto sediment particles and detrimentally impact biological systems and water quality.

1. Grading Prohibitions

(a) Each Permittee shall implement a program to control storm water discharges from construction activity at all construction sites within its jurisdiction. During the wet season, the program shall ensure that the following requirements are effectively implemented at all of the construction site categories listed below:
(1) No grading shall occur between October 1 – April 15 (wet season) for construction projects in the following areas of high erosivity or receiving water impairment or sensitive habitat:
(A) On hillsides with slopes 20% or steeper prior to land disturbance;
(B) Directly discharging to a waterbody listed on the CWA § 303 (d) list for siltation or sediment; or
(C) Within or adjacent to an environmentally sensitive area (ESAs).

(b) If grading operations in these areas are not completed before the onset of the wet season beginning October 1st, grading shall be halted and effective erosion control measures shall be put in place to minimize erosion. Grading shall not resume until after April 15th. Depending on the project area, the developer shall implement the Erosion and Sediment control BMPs listed in Tables 5, 6, and 7.

(1) A Grading Prohibition Variance may be granted by the Regional Water Board Executive Officer, where the Permittee can demonstrate that BMP measures proposed by the project proponent and approved by the Permittee can be reasonably expected to:
   (A) Not cause or contribute to the degradation of water quality.
   (B) Ensure that Total Suspended Solids discharged is 100mg/L or less.
   (C) Ensure that Turbidity of the discharge is 50 NTU or less.
   (D) Not impair beneficial uses.
   (E) Includes a monitoring program to ensure effectiveness.

2. Construction Sites Less than an Acre
   (a) Each Permittee shall require the implementation of a minimum set of BMPs at all construction sites (see the following Table 6) to prevent erosion and sediment loss, and the discharge of construction wastes.[1] Where the Erosivity Factor (R) for the construction project is 50 or greater, erosion controls (erosion avoidance) will be the preferred BMPs.[2]

[1] The BMPs are taken from the *California BMP Handbook, Construction, January 2003* and the *Caltrans Stormwater Quality Handbooks, Construction Site Best Management Practices (BMPs) Manual, March 2003*, and addenda.
[2] Fact Sheet, *Construction Rainfall Erosivity Waiver* (2001) EPA 833-F-00-014; *Predicting Soil Erosion by Water: A Guide to Conservation Planning with the Revised Universal Soil Loss Equation (RUSLE)* (1997), USDA Agricultural Handbook No. 703.

Table 6

Minimum Set of BMPs for All Construction Sites	CASQA Handbook	Caltrans Handbook
For Erosion Control		
Scheduling	EC-1	SS-1
Preservation of Existing Vegetation	EC-2	SS-2
Sediment Controls		
Silt Fence	SE-1	SC-1
Sand Bag Barrier	SE-8	SC-8
Non-Storm Water Management		
Water Conservation Practices	NS-1	NS-1
Dewatering Operations (Groundwater dewatering only under NPDES Permit No. CAG994004).[1]	NS-2	NS-2
Waste Management		
Material Delivery and Storage	WM-1	WM-1
Stockpile Management	WM-3	WM-2
Spill Prevention and Control	WM-4	WM-4
Solid Waste Management	WM-5	WM-5
Concrete Waste Management	WM-8	WM-8
Sanitary/ Septic Waste Management	WM-9	WM-9

3. Construction Sites 1 acre or greater but Less than 5 acres

   (a) Each Permittee shall require the implementation of the following BMPs (see the following Table 7) in addition to the ones identified in the preceding Table 6 at all construction sites 1 acre and greater but less than 5 acres to prevent erosion and sediment loss, and the discharge of construction wastes:

[1] Ponded storm water may be discharged at a concentration of Total Suspended Solids (TSS) of 100mg/L or less.

Table 7

BMPs	CASQA Handbook	Caltrans Handbook
For Erosion Control		
Hydraulic Mulch	EC-3	SS-3
Hydroseeding	EC-4	SS-4
Soil Binders	EC-5	SS-5
Straw Mulch	EC-6	SS-6
Geotextiles and Mats	EC-7	SS-7
Wood Mulching	EC-8	SS-8
Sediment Controls		
Fiber Rolls	SE-5	SC-5
Gravel Bag Berm	SE-6	SC-6
Street Sweeping and/ or Vacuum	SE-7	SC-7
Storm Drain Inlet Protection	SE-10	SC-10
Additional Controls		
Wind Erosion Controls	WE-1	WE-1
Stabilized Construction Entrance/ Exit	TC-1	TC-1
Stabilized Construction Roadway	TC-2	TC-2
Entrance/ Exit Tire Wash	TC-3	TC-3
Non-Storm Water Management		
Vehicle and Equipment Washing	NS-8	NS-8
Vehicle and Equipment Fueling	NS-9	NS-9

4. Construction Sites 5 acres and Greater

(a) Each Permittee shall require the implementation of the following BMPs (see the following Table 8) in addition to the ones identified in the preceding Tables 6 and 7 at all construction sites 5 acres and greater to prevent erosion and sediment loss, and the discharge of construction wastes:

Table 8

BMPs	CASQA Handbook	Caltrans Handbook
Sediment Controls		
Sediment Basin	SE-2	SC-2
Check Dam	SE-4	SC-4
Tracking Control BMPs		
Stabilized Construction Entrance/ Exit	TR-1	TC-1
Non-Storm Water Management		
Vehicle and Equipment Maintenance	NS-10	NS-10
Waste Management		
Material Delivery and Storage	WM-1	WM-1
Spill Prevention and Control	WM-4	WM-4
Concrete Waste Management	WM-8	WM-8
Sanitary/ Septic Waste Management	WM-9	WM-9

5. Local Agency Requirements

(a) Each Permittee shall require for all construction sites 1 acre or greater, compliance with all conditions identified in the preceding F.1, F.2, F.3, and F.4, and the following requirements:

(1) Local Storm Water Pollution Prevention Plan (Local SWPPP),

(A) Each Permittee shall require the preparation and submittal of a Local SWPPP, for approval prior to issuance of a grading permit for construction projects.

(i) The Permittee shall approve no Local SWPPP unless it includes appropriate construction site BMPs and maintenance schedules.

(ii) A Local SWPPP may substitute for the State SWPPP if the Local SWPPP is at least as inclusive in controls and BMPs as the State SWPPP.

(iii) The Local SWPPP must include the rationale used for selecting or rejecting BMPs. The project architect, or engineer of record, or authorized qualified designee, must sign a statement on the Local SWPPP to the effect:

(iv) *"As the architect/ engineer of record, I have selected appropriate BMPs to effectively minimize the negative impacts of this project's construction activities on storm water quality. The project owner and contractor are aware that the selected BMPs must be installed, monitored, and maintained to ensure their effectiveness. The BMPs not selected for implementation are redundant or deemed not applicable to the proposed construction activity."*

(2) Certification Statement

(A) Each Permittee shall require that each landowner or the landowner's agent sign a statement on the Local SWPPP to the effect:
"I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, to the best of my knowledge and belief, the information submitted is true, accurate, and complete. I am aware that submitting false and/ or inaccurate information, failing to update the Local SWPPP to reflect current conditions, or failing to properly and/ or adequately implement the Local SWPPP may result in revocation of grading and/ or other permits or other sanctions provided by law."

(B) The Local SWPPP certification shall be signed by the landowner as follows:
  (i) Corporation - by a responsible corporate officer which means the following:
    (I) President, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
    (II) Manager of the construction activity if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
  (ii) Partnership or sole proprietorship - by a general partner or the proprietor; or
  (iii) Municipality or other public agency - by an elected official, a ranking management official (e.g., County/ City Administrative Officer, City Manager, Director of Public Works, or City Engineer).

6. Roadway Paving or Repaving Operations

(a) Each Permittee shall require that for any project that includes roadbed or street paving, repaving, patching, digouts, or resurfacing roadbed surfaces, that the following BMPs be implemented for each project.
  (1) Restrict paving and repaving activity to exclude periods of rainfall or predicted rainfall unless required by emergency conditions.
  (2) Install sand bags or gravel bags and filter fabric at all susceptible storm drain inlets and at manholes to prevent spills of paving products and tack coat;
  (3) Prevent the discharge of Release Agents including soybean oil, other oils, or diesel to the storm water drainage system or watercourses.
  (4) Minimize non storm water runoff from water use for the roller and for evaporative cooling of the asphalt.
  (5) Clean equipment over absorbent pads, drip pans, plastic sheeting or other material to capture all spillage and dispose properly.
  (6) Collect liquid waste in a container, with a secure lid, for transport to a maintenance facility to be reused, recycled or disposed off properly.
  (7) Collect solid waste by vacuuming or sweeping and securing in an appropriate container for transport to a maintenance facility to be reused, recycled or disposed of properly.
  (8) Cover the “cold-mix” asphalt (i.e., pre-mixed aggregate and asphalt binder) with protective sheeting during a rainstorm.

(9) Cover loads with tarp before haul-off to a storage site, and do not overload trucks.
(10) Minimize airborne dust by using water spray during grinding.
(11) Avoid stockpiling soil, sand, sediment, asphalt material and asphalt grindings materials or rubble in or near storm water drainage system or watercourses.
(12) Protect stockpiles with a cover or sediment barriers during a rain.

7. Electronic Site Tracking System

(a) Each Permittee shall use an electronic system to track grading permits, encroachment permits, demolition permits, building permits, or construction permits (and any other municipal authorization to move soil and/ or construct or destruct that involves land disturbance) issued by each Permittee. To satisfy this requirement, the use of a database or GIS system is encouraged, but not required.

8. Inspections

(a) Each Permittee shall inspect all construction sites for the implementation of storm water quality controls a minimum of once during the wet season. Concurrently, each Permittee shall ensure that:
(1) The Local SWPPP shall be reviewed for compliance with local codes, ordinances, and permits.
(2) For inspected sites that have not adequately implemented their Local SWPPP, a follow-up inspection to ensure compliance shall take place within 2 weeks.
(3) If compliance with municipal codes, ordinances, or permits has not been attained, the Permittee shall take additional enforcement actions to achieve compliance as specified in municipal codes.
(4) If compliance has not been achieved, and the site is also covered under a Construction Activities Storm Water General Permit (CASGP) or Small Linear Underground/ Overhead Construction Projects General Permit (small LUPs), each Permittee shall notify the Regional Water Board for further joint enforcement actions in conformance with the procedures listed in section D.3.(d)- Interagency Coordination of this Order.

(b) Prior to approving and/ or signing off for occupancy and issuing the Certificate of Occupancy for all construction projects subject to post-construction controls, each Permittee shall inspect the constructed site design, source control and treatment control BMPs to verify that they have been constructed in compliance with all specifications, plans, permits, ordinances, and this Order. The initial/ acceptance

BMP verification inspection does not constitute an operation and maintenance inspection, as required in sections E.III.7(a)(1) and G.6(g)(1).

9. State Conformity Requirements

(a) Each Permittee shall ensure that no grading permit, encroachment permit, demolition permit, building permit, electrical permit, or construction permit (or any other municipal authorization to move soil and/ or construct or destruct that involves land disturbance) is issued for any project requiring coverage under the CASGP or Small LUP General Permit[1] unless:
   (1) Proof of coverage under a State NPDES permit is demonstrated (a copy of a letter from the State Water Board showing a valid Waste Discharger Identification Number (WDID) for that site).
   (2) Demonstration or Certification that a SWPPP has been prepared by the project developer. A Local SWPPP may substitute for the State SWPPP if the Local SWPPP is at least as inclusive in controls and BMPs as the State SWPPP.
   (3) Proof of an updated NOI(s) and a copy of the modified SWPPP(s) at any time a transfer of ownership takes place for the entire development or portions of the common plan of development where construction activities are still on-going.

10. Interagency Coordination

(a) A Permittee may refer a violator to the Regional Water Board provided that the Permittee has made a good faith effort at progressive enforcement consistent with the preceding section F.7. At a minimum, the Permittee's good faith effort shall be documented with:
   (1) A minimum of 2 follow-up inspection reports (inspections completed within 3 months).
   (2) A minimum of 2 warning letters or NOVs.

(b) Referral of Non-filers under the CASGP or the Small LUP General Permit: Each Permittee shall refer non-filers (i.e., those projects which cannot demonstrate that they have a WDID number) under the CASGP or Small LUP General Permit, to the Regional Water Board, no later than 15 days after making a

[1] NPDES Permit No. CAS000005, Waste Discharge Requirements For Discharges of Storm Water Runoff Associated with Small Linear Underground/ Overhead Construction Projects (Small LUP General Permit) for any linear land disturbing activity or activities (cumulatively) that will cause one acre or more of land disturbance but not more than 5 acres.

determination of failure to file. In making such referrals, Permittees shall include, at a minimum, the following documentation:

(1) Project location address.
(2) Project description.
(3) Developer or owners name with complete mailing address.
(4) Project size.
(5) Records of communication with the developer or owner regarding filing requirements.

(c) Investigation of Complaints Regarding Facilities – Transmitted by the Regional Water Board Staff:

(1) Each Permittee shall initiate, within 1 business day,[1] an initial investigation of complaint(s) (other than non-storm water discharges) on the construction site(s) within its jurisdiction.

(A) The initial investigation shall include, at a minimum, an inspection on the facility and its perimeter to confirm the complaint and to determine if the site operator is effectively complying with the municipal storm water/ urban runoff ordinances, and to oversee corrective action.

(d) Support of Regional Water Board Enforcement Actions – As directed by the Regional Water Board Executive Officer:

(1) Each Permittee shall support Regional Water Board enforcement actions by:

(A) Assisting in identification of current owners, operators, and lessees of properties and sites.
(B) Providing staff, when available, for joint inspections with Regional Water Board inspectors.
(C) Appearing to testify as witnesses in Regional Water Board enforcement hearings.
(D) Providing copies of inspection reports and other progressive enforcement documentation.

G. Public Agency Activities Program

Each Permittee shall implement a Public Agency Activities Program to minimize storm water pollution impacts from public agency activities. Public Agency requirements consist of:

- Sewage Systems Maintenance, Overflow, and Spill Prevention
- Public Construction Activities Management

[1] Permittees may comply with the Permit by taking initial steps (such as logging, prioritizing, and tasking) to "initiate" the investigation within that one business day. However, the Regional Water Board would expect that the initial investigation, including a site visit, to occur within four business days.

- Vehicle Maintenance/ Material Storage Facilities/ Corporation Yards Management/ Municipal Operations
- Landscape and Recreational Facilities Management
- Storm Drain Operation and Management
- Streets and Roads Maintenance
- Infrastructure Maintenance - Long-term
- Public Industrial Activities Management
- Emergency Procedures
- Employee Training

1. Sewage System Maintenance, Overflow, and Spill Prevention Response Plan

   (a) Each Permittee shall implement a response plan for overflows of the sanitary sewer system within their respective jurisdiction. The response Plan shall clearly identify agencies responsible and telephone numbers and email for any contact and shall contain at a minimum of the following procedures for:
      (1) Investigation of any complaints received within 24 hours of the incident report.
      (2) Response within two hours to overflows for containment upon notification.
      (3) Notification to appropriate sewer and public health agencies and the Office of Emergency Services (OES) when a sewer overflows to the MS4. This requirement includes notification to the affected public health agencies that are mandated to monitor beach conditions, within 2 hours in case a spill has the potential to be discharged through the MS4 into coastal beaches.

   (b) Each Permittee which owns and/ or operates a sanitary sewer system, shall in addition to the preceding section 1(a), also implement the following requirements:
      (1) Identify, repair, and remediate sanitary sewer blockages, exfiltration, overflow, and wet weather overflows from sanitary sewers to the MS4.
      (2) Implement procedures and maintenance on schedules to prevent sewage spills or leaks from sewage facilities from entering the MS4.

   (c) Each Permittee with septic systems in their jurisdiction shall implement a response plan for overflows of septic system leachate to surface waters within their respective jurisdiction, and shall consist, at a minimum, of the following:
      (1) Investigation of any complaints received.
      (2) Response within two hours to overflows for containment, upon notification.
      (3) Notification within 24 hours to appropriate agencies and public health agencies when a septic system fails and flows to the MS4.

(d) In addition, Regional Water Board expects that the municipal departments that have responsibilities to implement the MS4 NPDES permit, other individual NPDES permits that may contain spill prevention, sewer maintenance, pretreatment programs and the SSO WDR will coordinate their compliance activities for consistency and efficiency.

2. Public Construction Activities Management

(a) Each Permittee shall implement and comply with the Development Planning Program requirements in Part 4. E of this Order at all Permittee owned or operated public construction projects.
(b) Each Permittee shall implement and comply with the Development Construction Program requirements in Part 4.F. of this Order at all Permittee owned or operated construction projects.

(c) Each Permittee shall obtain coverage under the CASGP for construction activities and projects that are:
(1) Covered under 1 (or more) Capital Improvement Projects (including but not limited to street repaving, new streets, channel clearing[1]) or contract, and that individually or cumulatively disturb 1 acre or more of land; or
(2) Less than 1 acre, but are part of a larger common plan of development that in total disturbs 1 or more acres of land; and
(3) Linear construction project(s) that disturb 5 or more acres of land.

(d) Each Permittee shall obtain coverage under the Small LUP General Permit when disturbing at least 1 acre, but less than 5 acres of land during linear construction (land area includes trenching and staging areas).

3. Vehicle Maintenance/ Material Storage Facilities/ Corporation Yards Management/ Long Term Maintenance Programs.

(a) Each Permittee shall implement the following BMPs[2] at all Permittee owned, leased facilities and job sites including but not limited to vehicle/ equipment maintenance facilities, material storage facilities, and corporation yards, and at any area that includes the activities as described in the following Tables.

[1] A CWA §401 certification may be required separately from the Regional Water Board for activities that occur within or adjacent to Waters of the U.S.. The Permittee shall obtain all necessary permits and certifications from the State and federal permitting authorities before commencing soil disturbing activities.
[2] These BMPs are identified in Appendix B of the *Caltrans Storm Water Quality Handbook Maintenance Staff Guide, May 2003*, and its addenda.

Additionally, for any activity or area described in the footnote below,[1] each Permittee shall also implement the BMPs in the Caltrans Storm Water Quality Handbook Maintenance Staff Guide described as B-4 in Table 9.

Table 9

From the Caltrans Storm Water Quality Handbook Maintenance Staff Guide	**Appendix B**
Activity Specific BMPs	Page
General BMPs	B-4
Flexible Pavement	B-9
Asphalt Cement Crack and Joint Grinding/ Sealing	B-9
Asphalt Paving	B-10
Structural Pavement Failure (Digouts) Pavement Grinding and Paving	B-11
Emergency Pothole Repairs	B-13
Sealing Operations	B-14
Rigid Pavement	B-15
Portland Cement Crack and Joint Sealing	B-15
Mudjacking and Drilling	B-16
Concrete Slab and Spall Repair	B-17
Slope/ Drains/ Vegetation	B-19
Shoulder Grading	B-19
Nonlandscaped Chemical Vegetation Control	B-21
Nonlandscaped Mechanical Vegetation Control/ Mowing	B-23
Nonlandscaped Tree and Shrub Pruning, Brush Chipping, Tree and Shrub Removal	B-24
Fence Repair	B-25
Drainage Ditch and Channel Maintenance	B-26
Drain and Culvert Maintenance	B-28
Curb and Sidewalk Repair	B-30
Litter/ Debris/ Graffiti	B-32
Sweeping Operations	B-32
Litter and Debris Removal	B-33
Emergency Response and Cleanup Practices	B-34
Graffiti Removal	B-36
Landscaping	B-37
Chemical Vegetation Control	B-37
Manual Vegetation Control	B-39
Landscaped Mechanical Vegetation Control/ Mowing	B-40
Landscaped Tree and Shrub Pruning, Brush Chipping, Tree and Shrub Removal	B-41
Irrigation Line Repairs	B-42
Irrigation (Watering), Potable and Nonpotable	B-43

[1] Scheduling and Planning; Spill Prevention and Control; Sanitary/ Septic Waste Management; Material Use; Safer Alternative Products; Vehicle/ Equipment Cleaning, Fueling, and Maintenance; Illicit Connections Detection, Reporting and Removal; Illegal Spill / Discharge Control and Maintenance Facility Housekeeping Practices.

(b) Each Permittee shall obtain coverage under the CASGP no later than (7 days of adoption of Order 07-xxx) [Note: Refer Here To Ventura Permit Adoption Date Only]) for long-term maintenance programs including maintenance of flood control channels (such as vegetation removal), maintenance or replacement of streets, sidewalks, roads, and any other project that the Permittee undertakes including all Capital Improvement Projects (CIP) if either 1 or more acres of land are disturbed by grading, clearing or excavation activities for an individual project or cumulatively as part of several projects involving a soil disturbance.

4. Vehicle and Equipment Wash Areas

(a) Each Permittee shall eliminate discharges of wash waters from vehicle and equipment washing no later than (365 days after permit adoption) by implementing any of the following measures at existing facilities with vehicle or equipment wash areas:
   (1) Self-contain, and haul off for disposal;
   (2) Equip with a clarifier;
   (3) Equip with an alternative pre-treatment device; or
   (4) Plumb to the sanitary sewer.

(b) Any municipal facilities constructed, redeveloped, or replaced shall have all vehicle and equipment wash areas plumbed to the sanitary sewer or be self contained and all wastewater/ washwater hauled for legal disposal.

5. Landscape, Park, and Recreational Facilities Management

(a) Integrated Pest Management (IPM)
Each Permittee shall implement a jurisdiction-wide IPM program (an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties.) and ensure that:
   (1) Pesticides are used only if, after monitoring indicates they are needed according to established guidelines.
   (2) Treatments are made with the goal of removing only the target organism.
   (3) Pest controls are selected and applied in a manner that minimizes risks to human health, beneficial, non-target organisms, and the environment.
   (4) Its use of pesticides, including Organo-phosphates and Pyrethroids do not threaten water quality.
   (5) Partner with other agencies and organizations to ensure that pesticide use within their jurisdiction does not threaten water quality.

(6) Adopt and verifiably implement policies, procedures, and/ or ordinances requiring the minimization of pesticide use and encouraging the use of IMP techniques (including beneficial insects) in the Permittees' overall operations and on municipal property.
(7) Policies, procedures, and ordinances shall include commitments and timelines to reduce and ultimately eliminate the use of pesticides that cause impairment of surface waters by implementing the following procedures:
(A) Quantify pesticide use by its staff and hired contractors.
(B) Prepare and annually update an inventory of pesticides used by all internal departments, divisions, and other operational units.
(C) Demonstrate reductions in pesticide use.

(b) Each Permittee shall implement the following requirements no later than (180 days following permit adoption):
(1) Use a standardized protocol for the routine and non-routine application of pesticides, herbicides (including pre-emergents), and fertilizers.
(2) Comply with the provisions and the monitoring requirements for application of aquatic pesticides to surface waters (WQ Order No. 2004-0008-DWQ).
(3) Ensure no application of pesticides, herbicides or fertilizers are applied to an area immediately prior to, during, or immediately after a rain event, or when water is flowing off the area.
(4) Ensure that no banned or unregistered pesticides and herbicides are stored or applied.
(5) Ensure that all staff applying pesticides are certified by the California Department of Food and Agriculture, or are under the direct supervision of a certified pesticide applicator.
(6) Implement procedures to encourage the retention and planting of native vegetation to reduce water, pesticide, herbicide and fertilizer needs; and
(7) Store pesticides, herbicides and fertilizers indoors or under cover on paved surfaces or use secondary containment.
(A) Reduce the use, storage, and handling of hazardous materials to reduce the potential for spills.
(B) Regularly inspect storage areas.

6. Storm Drain Operation and Management

(a) Catch Basin Cleaning
(1) Each Permittee shall designate catch basin inlets within its jurisdiction as one of the following:
Priority A: Catch basins that are designated as consistently generating the highest volumes of trash and/ or debris.

Priority B: Catch basins that are designated as consistently generating moderate volumes of trash and/ or debris.
Priority C: Catch basins that are designated as generating low volumes of trash and/ or debris.

(2) Each Permittee shall clean catch basins according to the following schedule:
Priority A: A minimum of 3 times during the wet season and once during the dry season every year.
Priority B: A minimum of once during the wet season and once during the dry season every year.
Priority C: A minimum of once per year.

(3) In addition to the preceding schedule, Permittees shall ensure that any catch basin that is at least 25% full of trash and/ or debris shall be cleaned out.

(b) Trash Management at Public Events
(1) Each Permittee shall require for any event in the public right of way or wherever it is foreseeable that substantial quantities of trash and litter may be generated, that the following measures be implemented:
(A) That conditions be placed on any special use permit issued for such event; and
(B) Require the proper management of trash and litter generated; and
(C) Arrange for temporary screens to be placed on catch basins; or
(D) Clean out catch basins, trash receptacles, and grounds in the event area within 24 hours subsequent to the event.

(c) Trash Receptacles
(1) Each Permittee shall install trash receptacles at all transit stops in commercial areas and near schools within its jurisdiction no later than (6 months from the Order's adoption).
(2) Each Permittee shall ensure that all trash receptacles are cleaned out and maintained as necessary to prevent trash overflow.

(d) Catch Basin Labels
(1) Each Permittee shall inspect the legibility of the catch basin stencil or label nearest each catch basin and inlet before the rainy season begins.
(2) Each Permittee shall record and re-stencil or re-label within 15 days of inspection, catch basins with illegible stencils.

(e) Catch Basin Excluders
(1) Each Permittee shall install trash excluders, or similar devices on catch basins to prevent the discharge of trash to the storm drain system on all catch basin inlets no later than (180 from permit adoption).

(f) Storm Drain Maintenance
  (1) Each Permittee shall implement a program for Storm Drain Maintenance no later than (180 days after permit adoption) that includes the following:
    (A) Visual monitoring of Permittee-owned open channels and other drainage structures for debris at least annually.
    (B) Annually, based on the monitoring in the preceding section 6(a), identify and prioritize problem areas of illicit discharge for regular inspection.
    (C) Conduct a review of maintenance activities to assure that the most appropriate storm water BMPs are being utilized to protect water quality.
    (D) Remove trash and debris from open channel storm drains a minimum of once per year before the storm season.
    (E) Eliminate the discharge of contaminants during MS4 maintenance and clean outs.
    (F) Quantify the amount of materials removed using standard measures and ensure the materials are properly disposed of.

(g) Permittee Owned Treatment Control BMPs
  (1) Each Permittee shall implement an inspection and maintenance program for all Permittee owned treatment control BMPs, including post-construction treatment control BMPs.
  (2) Each Permittee shall ensure proper operation of all treatment control BMPs and maintain them as necessary for proper operation, including post-construction treatment control BMPs.
  (3) Any residual water within a treatment control BMP when being maintained shall be:
    (A) Hauled away and legally disposed of;
    (B) Discharged to the sanitary sewer system (with permits or authorization); or
    (C) Treated to remove bacteria, sediments, nutrients, and meet the limitations set in Table 10 prior to discharge to the MS4.

Table 10

Discharge Limitations for Dewatering Treatment BMPs[1]

Parameter	Units	Limitation
Total Dissolved Solids	mg/L	1550
Nitrogen (Nitrate-nitrogen plus nitrite nitrogen)	mg/L	8
Total Suspended Solids	mg/L	100
Turbidity	NTU	50
Oil and Grease	mg/L	10
TPH	µg/L	100
COD	mg/L	120
Cu	µg/L	22.1
Pb	µg/L	12.8
Ni	µg/L	100
Zn	µg/L	170
E. Coli	per 100 ml	235 (fresh water)
Fecal Coliform	per 100 ml	400 (fresh water)

7. Streets and Roads

(a) Maintenance
(1) Each Permittee shall perform street sweeping of curbed streets in commercial areas to control trash and debris at least 2 times per month.

(b) Road Construction and Reconstruction
(1) Each Permittee shall implement the following BMPs for road reconstruction:
(A) Drain Inlet protection from sediments.
(B) Dewatering of below grade construction areas.
(C) Secondary containment for cold mix.
(D) Sheeting underneath cold mix (during storage) to prevent discharge of spray release, and
(E) Sheeting to cover cold mix (during storage).
(F) If street material is to be concrete, then provide a vehicle wash off area that is isolated from the MS4.

[1] Limits are from the Water Quality Control Plan Los Angeles Region (Basin Plan) and U.S. EPA Benchmark Values.

8. Infrastructure Maintenance - Long-term

   (a) Each Permittee shall obtain coverage under the CASGP for all long-term maintenance programs including but not limited to any project under the Capital Improvement Program (CIP) including but not limited to: pavement replacement; sidewalk replacement; channel maintenance; roadside maintenance (such as: vegetation removal); or grading, clearing or excavation activities that disturb 1 or more acres of land either for an individual project or as part of a long-term city/ county plan that may be less.

9. Public Industrial Activities Management

   (a) Each Permittee shall obtain separate coverage under the IASGP for any municipal activity subject to U.S. EPA regulations at CFR 122.26 for the discharge of storm water associated with industrial activity. These facilities include, but are not limited to:
      (1) Publicly owned wastewater treatment plants with a design flow of 1 MGD or more or required to have an approved pretreatment program under 40 CFR 403.
      (2) Landfills that receive or have received industrial waste or subject to regulation under Subtitle D of EPRCA.
      (3) Hazardous Waste Treatment, Storage and Disposal Facilities.
      (4) Steam Electric Power Generating Facilities.
      (5) Airports (SIC Major Group 45).
      (6) Ports (SIC Major Group 44).
      (7) Local and Suburban Transit (SIC Major Group 41).

10. Municipal Potable Water Supply System and Distribution De Minimus Discharges

   (a) Each Permittee which owns or operates or maintains a potable water supply system(s) and which performs maintenance of that system by flushing hydrants or other system components, may discharge such waters to the storm drain system provided:
      (1) The total volume of discharges annually is no more than 100,000 gallons[1] for the system per year.
      (2) BMP(s) are implemented to ensure that:
         (A) Chlorine concentration of the discharge is 0.1mg/L or less[2].

[1] If greater than 100,000 gallons per year, then coverage under a separate NPDES permit from the Regional Water Board (NPDES Permit No. CAG674001) is required.
[2] BMPs for dechlorination include the addition of Sodium Thiosulfate per manufacturer specifications, or aeration that will reduce residual chlorine concentration in water to 0.1mg/L or less.

(B) Turbidity is at 50 NTUs or less so as to minimize the discharge of sediment.
(C) No erosion is caused down side of the discharge.

11. Emergency Procedures

(a) Each Permittee may conduct repairs of essential public service systems and infrastructure in emergency situations with a self-waiver of the provisions of this Order. An emergency is a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. "Emergency" includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences including riot, accident, or sabotage.
(1) Where the self-waiver has been invoked, the Permittee shall submit to the Regional Water Board Executive Officer a statement of the occurrence of the emergency, an explanation of the circumstances, and the measures that were implement to reduce the threat to water quality, no later than 7 business days after the situation of emergency has passed.

12. Municipal Employee and Municipal Contractor Training

(a) Each Permittee shall, no later than (6 months from the permit adoption and annually thereafter before June 30), train all of their employees and contractors in targeted positions (whose interactions, jobs, and activities affect storm water quality) on the requirements of the overall storm water management program to:
(1) Promote a clear understanding of the potential for activities to pollute storm water.
(2) Identify opportunities to require, implement, and maintain appropriate BMPs in their line of work.

(b) Each Permittee shall, no later than (6 months from the permit adoption and annually thereafter before June 30), train all of their employees and contractors who use or have the potential to use pesticides, herbicides or fertilizers (whether or not they normally apply these as part of their work). Training programs shall address:
(1) The potential for pesticide-related surface water toxicity.
(2) Proper use, handling, and disposal of pesticides.
(3) Least toxic methods of pest prevention and control, including IPM.
(4) Reduction of pesticide use.

(c) Each Permittee shall, no later than (6 months from the permit adoption) and annually thereafter before June 30, train all of their employees and contractors who are responsible for illicit connections and illicit/ illegal discharges. Training programs shall address:
(1) Identification.
(2) Investigation.
(3) Termination.
(4) Cleanup.
(5) Reporting of Incidents.
(6) Documentation of Incidents.

H. Illicit Connections and Illicit Discharges Elimination Program

Each Permittee shall eliminate all Illicit Connections and Illicit Discharges (IC/ ID) to the storm drain system, and shall document, track, and report all such cases in accordance with the elements and performance measures specified in the following subsections.

1. General

(a) Implementation - Each Permittee shall implement an IC/ ID Program. The IC/ ID procedures shall be documented and made available for review.

(b) Tracking - All Permittees shall, no later than (2 years after the adoption of this Order), map at a scale and in a format specified by the Principal Permittee all permitted connections to their storm drain system. All Permittees shall map at a scale and in a format specified by the Principal Permittee incidents of illicit connections and discharges on their baseline maps, and shall transmit this information to the Principal Permittee no later than (2 years after the adoption of this Order). Permittees shall use this information to identify priority areas for further investigation and elimination of IC/ ID.

2. Public Reporting

(a) Permittees shall establish and maintain a phone hotline and internet site to receive all reports of IC/ ID complaints.

(b) Permittees shall document the location of the reported IC/ ID and the actions undertaken in response to all IC/ ID complaints.

3. Illicit Connections

(a) Screening for Illicit Connections

(1) The Permittees shall submit to the Principal Permittee:

(A) A GIS layer showing the location and length of underground pipes 18 inches and greater in diameter, and channels within their jurisdiction in accordance with the following schedule:

(i) All channeled portions of the storm drain system no later than (365 days after the adoption of this Order).

(ii) All portions of the storm drain system consisting of storm drain pipes 36 inches in diameter or greater, (no later than 3 years after the adoption of this Order).

(iii) All portions of the storm drain system consisting of storm drain pipes 18 inches in diameter or greater, (no later than 5 years after the adoption of this Order).

(B) The status of suspected, confirmed, and terminated illicit connections.

(2) Permittees shall conduct field screening of their storm drain systems in accordance with screening procedures described in the Illicit Discharge Detection and Elimination, A Guidance Manual for Program Development and Technical Assessments (2004).[1] Permittees shall conduct field screening for illicit connections in accordance with the following schedule:

(A) All portions of the storm drain system consisting of storm drain pipes 36 inches in diameter or greater no later than (5 years after the adoption of this Order).

(B) High priority areas identified during the mapping of illicit connections and discharges no later than (5 years after the adoption of this Order).

(C) All portions of storm drain systems 50 years or older in age no later than (5 years after the adoption of this Order).

(3) Each Permittee shall maintain a list containing all connections under investigation for possible illicit connection and their status.

(b) Response to Illicit Connections

(1) Investigation -

Upon discovery or upon receiving a report of a suspected illicit connection, a Permittee shall complete an investigation within 21 days, to determine the following:

(A) Source of the connection.

(B) Nature and volume of discharge through the connection.

(C) Responsible party for the connection.

[1] *Illicit Discharge Detection and Elimination, A Guidance Manual for Program Development and Technical Assessments*. the Center for Watershed Protection, Pitt R., October 2004. Chapter 13, 13.1,13.2, 13.3, 13.4

(2) Termination -
Upon confirmation of an illicit storm drain connection, a Permittee shall ensure the following:
(A) Termination of the connection within 180 days of completion of the investigation, using formal enforcement authority to eliminate the illicit connection.

(3) Documentation -
Permittees shall keep records of all illicit connection investigations and the formal enforcement taken to eliminate all illicit connections.

4. Illicit Discharges

(a) Investigation -
The Permittees shall investigate an illicit/ illegal discharge during or immediately following containment and cleanup activities, and shall take formal enforcement action to eliminate the illegal discharge.

(b) Abatement and Cleanup -
Each Permittee shall respond, within 1 business day of discovery or a report of a suspected illicit/ illegal discharge, with actions to abate, contain, and clean up all illegal discharges, including hazardous substances.

(c) Documentation -
Permittees shall maintain records of all illicit/ illegal discharge discoveries, reports of suspected illicit/ illegal discharges, their response to the illicit/ illegal discharges and suspected illicit/ illegal discharges, and the formal enforcement taken to eliminate all illicit/ illegal discharges.

I. REPORTING PROGRAM

1. The Principal Permittee in consultation with the Permittees and Regional Water Board staff shall convene an adhoc working group to develop an Electronic Reporting Program, the basis of which shall be the questions in the attached Monitoring Report and Program Report (Reporting Program- Attachment "H") for approval by the Regional Water Board Executive Officer. The Committee shall no later than (6 months of permit adoption):

(a) Develop an electronic reporting format.

(b) Include requirements as basis for reporting.

2. Each Permittee shall submit information required in the Reporting Program in a method as appropriate to the format approved by the Regional Water Board Executive Officer.

3. The Principal Permittee shall submit by December 15th of each year beginning the year of 2007, an Annual Report to the Regional Water Board Executive Officer in the form of one hard copy and three compact disk (CD) copies (or an electronic equivalent).

4. The Annual Report shall document the status of the General Storm Water Program, an integrated summary of the results of analyses from:
   (a) The monitoring program described under Part 1- Monitoring Report.

   (b) The requirements described under Part 2-Program Report.

5. Plans shall be submitted to the Regional Water Board Executive Officer in the form of a hard copy and on a compact disk (CD), submit 1 hard copy and 3 CD copies.

6. Study Reports shall be submitted to the Regional Water Board Executive Officer in the form of a hard copy and on a CD, submit 1 hard copy and 3 CD copies.

7. Progress Reports shall be submitted to the Regional Water Board Executive Officer in the form of a hard copy and on a CD, submit 1 hard copy and 3 CD copies.

PART 5 - WATERSHED ECOLOGICAL RESTORATION PLANNING

Restoration of a degraded aquatic ecosystem to a close approximation of its remaining natural potential is a complex process that requires planning, implementation, monitoring, and management. The purpose of ecological restoration planning is to provide a tool that can produce improvements in the quality of our water resources to support diverse, productive communities of plants and animals that provide significant ecological and social benefits.[1]

1. The Permittees shall develop and implement Watershed Ecological Restoration Plans (ERP) and submit Annual Watershed Ecological Restoration Status Reports (ERSR) in accordance with the requirements in Part 5 of this Order.

2. The Permittees shall develop ERPs for all Watershed Management Areas' (WMA) stream segments that have obtained a score of "poor" and "very poor" from Bioassessment Monitoring (Attachment "F", section E).

[1] U.S. EPA, 1995. *Ecological Restoration.* EPA841-F-95-007. Office of Water (4501F) United States Environmental Protection Agency, Washington, DC.

3. The ERPs shall include the following Restoration Principles:[1]
   (a) Preserve and protect aquatic resources.
   (b) Restore ecological integrity.
   (c) Restore natural structure.
   (d) Restore natural function.
   (e) Work within the watershed and broader landscape context.
   (f) Understand the natural potential of the watershed.
   (g) Address ongoing causes of degradation.
   (h) Develop clear, achievable, and measurable goals.
   (i) Focus on feasibility.
   (j) Use a reference site.
   (k) Anticipate future changes.
   (l) Involve the skills and insights of a multi-disciplinary team (such as: Wetlands Recovery Project and Ventura County Task Force of the Wetlands Recovery Project).
   (m) Design for self-sustainability.
   (n) Use passive restoration, when appropriate.
   (o) Restore native species and avoid non-native species.
   (p) Use natural fixes and bioengineering techniques, where possible.
   (q) Monitor and adapt where changes are necessary.

4. Permittees within WMA, shall develop ERP for the degraded stream segments of the Ventura River, Santa Clara River and Calleguas Creek, according to the following schedule:

   (a) Starting with the Ventura River, a Watershed ERP is to be developed and implemented for all river segments with a score of "poor" and "very poor" within 18 months from adoption of this Order and submitted to the Regional Water Board Executive Officer for approval.

   (b) An ERP for the Santa Clara River and Calleguas Creek are to be developed and implemented for all river segments with a score of "poor" and "very poor" within 18 months from the end of their second monitoring year and submitted to the Regional Water Board Executive Officer for approval.

[1] U.S. EPA, 2000. *Principles for the Ecological Restoration of Aquatic Resources*. EPA841-F-00-003. Office of Water (4501F) United States Environmental Protection Agency, Washington, DC. 4 pp.

5. The Permittees shall submit Annual ERSR on the WMA ERP, which shall to include:

   (a) Background information.
   (b) Evaluation of site conditions.
   (c) Progress towards goals summarized and linked to specific stressors and measurements endpoints.
   (d) Bioassessment monitoring assessment(s).

PART 6 - TOTAL MAXIMUM DAILY LOAD PROVISIONS

Total Maximum Daily Loads (TMDL) are numerical calculations of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing points (Waste Load Allocation) and non-point sources (Load Allocation). Municipal storm water discharges are considered a point source and have been assigned a WLA for certain pollutants. The objective of the TMDL is to restore the waterbody to the highest beneficial use or potential beneficial use designated by the Regional Water Board.

This Order incorporates MS4 WLAs that have been adopted by the Regional Water Board and have been approved by the Office of Administrative Law and the U.S. EPA. The WLAs in the Order are expressed either as a numerical limitation, or a suite of BMPs that have been determined as providing a reasonable expectation that the WLAs will be achieved for wet weather flows, or as a prohibition for dry weather flows. Permittees shall implement all control measures to achieve the TMDL WLA(s) as stated in the TMDL by the WLA(s) effective date(s).

1. **Watershed - Pollutant**
   Santa Clara River and its Tributaries' (Reach 3) - Nitrogen Compounds (Ammonia and Nitrate plus Nitrite).

   (a) WLA Implementation
      (1) Prohibition:
      Permittees (Ventura County Watershed Protection District, and the Cities of Santa Paula and Fillmore) in the Santa Clara River and its Tributaries' (Reach 3) shall conduct field screening of their storm drain systems, in accordance with screening procedures documented in *Illicit Discharge Detection and Elimination*.[1] Permittees shall conduct field screening for illicit connections in accordance with the following schedule:

[1] *Illicit Discharge Detection and Elimination, A Guidance Manual for Program Development and Technical Assessments*. the Center for Watershed Protection, Pitt R., October 2004. Chapter 13, 13.1,13.2, 13.3, 13.4

(A) All portions of the storm drain system consisting of storm drain pipes and open channels/ drains 12 inches in diameter or greater within 5 years after the adoption of this Order.
(B) All portions of the storm drain system in subwatersheds with more than 5% of the area containing industrial sites 40 years or older within 5 years after the adoption of this Order.
(C) All portions of the storm drain system in subwatersheds that had septic systems but have been connected to a sanitary system since January 1976 within 5 years after the adoption of this Order.
(D) All portions of the storm drain system in subwatersheds with a density of more than 20 outfalls per channel mile within 5 years after the adoption of this Order.
(E) All portions of the storm drain system in subwatersheds with a density of 10 or more hazardous waste generators and/ or 5 or more industrial NPDES storm water sites per square mile within 5 years after the adoption of this Order.

(2) Numerical Limits:
The WLAs are expressed as numerical limits in-stream for Ammonia and Nitrate within the Santa Clara River and its Tributaries' Watershed (Reach 3), established for its MS4 Permittees are following:
(A) MS4 Permittees shall not exceed water quality objectives in the Water Quality Control Plan Los Angeles Region (Basin Plan), the Ocean Plan, and the California Toxics Rule (CTR) for both acute and chronic criteria for Ammonia and Nitrate plus Nitrite.

2. **Watershed - Pollutant**
Malibu Creek and Lagoon - Bacteria

(a) WLA Implementation
(1) Prohibition:
MS4 Permittees (Ventura County Watershed Protection District, County of Ventura, and the Cities of Simi Valley and Thousand Oaks) discharging to Malibu Creek and Lagoon shall conduct field screening of their storm drain systems, in accordance with screening procedures documented in *Illicit Discharge Detection and Elimination*.[1] Permittees shall conduct screening for illicit connections in accordance with the following schedule:
(A) All portions of the storm drain system consisting of storm drain pipes 12 inches in diameter of greater within 5 years after the adoption of this Order.

[1] *Illicit Discharge Detection and Elimination, A Guidance Manual for Program Development and Technical Assessments*. the Center for Watershed Protection, Pitt R., October 2004. Chapter 13, 13.1,13.2, 13.3, 13.4.

(B) All portions of the storm drain system in subwatersheds with more than 5% of the area containing industrial sites 40 years or older within 5 years after the adoption of this Order.

(C) All portions of the storm drain system in subwatersheds that had septic systems but have been connected to a sanitary system since January 1976 within 5 years after the adoption of this Order.;

(D) All portions of the storm drain system in subwatersheds with a density of more than 20 outfalls per channel mile within 5 years after the adoption of this Order.

(E) All portions of the storm drain system in subwatersheds with a density of 10 or more hazardous waste generators and/ or 5 or more industrial NPDES storm water sites per square mile within 5 years after the adoption of this Order.

(2) Numerical Limits:
The WLAs are expressed as exceedence days in-stream for Bacteria within Malibu Creek and Lagoon Watershed, established for its MS4 Permittees are the following (see Table 11):

Table 11

Bacteria (ml) in-stream

Weather	**Summer Dry (April 1 - October 31)**
WLA	Daily Exceedence Sampling Days = 0 Weekly Exceedence Sampling Days = 0
Weather	**Winter Dry (November 1 - March 31)**
WLA	Daily Exceedence Sampling Days = 3 Weekly Exceedence Sampling Days = 1
Weather	**Wet (November 1 - October 31)**
WLA	Daily Exceedence Sampling Days = 17 Weekly Exceedence Sampling Days = 3
Marine Water	
Geometric Mean	Total coliform density not to exceed 1,000/ 100 ml
	Fecal coliform density not to exceed 200/ 100ml
	Enterococcus density not to exceed 35/ 100 ml
Single Sample	Total coliform density not to exceed 1,000/ 100 ml
	Fecal coliform density not to exceed 200/ 100ml
	Enterococcus density not to exceed 35/ 100 ml
	Total coliform density not to exceed 1,000/ 100 ml, if the ratio of fecal-to-total coliform >.1
Fresh Water	
Geometric Mean	E. coli not density to exceed 126/ 100 ml
	Fecal coliform density not to exceed 200/ 100ml
Single Sample	E. coli density not to exceed 235/ 100 ml
	Fecal coliform density not to exceed 400/ 100ml

3. **Watershed - Pollutant**
Calleguas Creek, its Tributaries and Mugu Lagoon - Toxicity, Chlorpyrifos and Diazinon.

(a) WLA Implementation

(1) Numerical Limits:
The WLAs are expressed as numerical limits in-stream for Toxicity, Chlorpyrifos and Diazinon within Calleguas Creek, its Tributaries and Mugu Lagoon's Watershed, established for its MS4 Permittees (Ventura County Watershed Protection District, County of Ventura, and the Cities of Camarillo, Moorpark, Simi Valley, and Thousand Oaks) are the following (see Table 12):

Table 12

Toxicity (TUc) in-stream

Weather	Dry
WLA	1.0

Chlorpyrifos (ug/L) in-stream

Weather	Dry	Dry
WLA	Interim	Final
Chronic (4 day)	0.45	0.014

Diazinon (ug/L) in-stream

Weather	Dry	Dry
WLA	Interim	Final
Acute (1hr.)	1.73	0.10
Chronic (4 day)	0.556	0.10

4. **Watershed - Pollutant**
Calleguas Creek, its Tributaries and Mugu Lagoon[1] - Organochlorine (OC) Pesticides, Polychlorinated Biphenyls (PCB), and Siltation.

(a) WLA Implementation

(1) Numerical Limits:
The WLAs expressed as numerical limits in-sediment for Organochlorine (OC) Pesticides, Polychlorinated Biphenyls (PCB) and Siltation within Calleguas Creek, its Tributaries and Mugu Lagoon established for the MS4 Permittees (Ventura County Watershed Protection District, County of Ventura, and the Cities of Camarillo, Moorpark, Simi Valley, and Thousand Oaks) are the following (see Table 13):

[1] Point Mugu Naval Air Weapons Station is not a Phase I MS4 Permittee.

Table 13

OC Pesticides and PCBs (ng/g) in-sediment

Weather	Dry	Dry	Dry	Dry	Dry
WLA	Interim	Interim	Interim	Interim	Interim
	Calleguas Creek	Revolon Slough	Arroyo Las Posas	Arroyo Simi	Conejo Creek
Chlordane	17.0	48.0	3.3	3.3	3.4
4,4-DDD	66.0	400.0	290.0	14.0	5.3
4,4-DDE	470.0	1,600.0	950.0	170.0	20.0
4,4-DDT	110.0	690.0	670.0	25.0	2.0
Dieldrin	3.0	5.7	1.1	1.1	3.0
PCBs	3,800.0	7,600.0	25,700.0	25,700.0	3,800.0
Toxaphene	260.0	790.0	230.0	230.0	260.0

OC Pesticides and PCBs (ng/g) in-sediment

Weather	Dry	Dry	Dry	Dry	Dry
WLA	Final	Final	Final	Final	Final
	Calleguas Creek	Revolon Slough	Arroyo Las Posas	Arroyo Simi	Conejo Creek
Chlordane	3.3	0.9	3.3	3.3	3.3
4,4-DDD	2.0	2.0	2.0	2.0	2.0
4,4-DDE	1.4	1.4	1.4	1.4	1.4
4,4-DDT	0.3	0.3	0.3	0.3	0.3
Dieldrin	0.2	0.1	0.2	0.2	0.2
PCBs	120.0	130.0	120.0	120.0	120.0
Toxaphene	0.6	1.0	0.6	0.6	0.6

Siltation (tons/yr.)

WLA	Per year
To Mugu Lagoon	2,496.0

PART 7 - DEFINITIONS

The following are definitions for terms in this Order:

43,560 Square Foot Commercial Development - means any commercial development that creates at least 43,560 square feet of surface area, including parking areas (43,560 sq. ft. equals 1 acre).

Adverse Impact - means a detrimental effect upon water quality or beneficial uses caused by a discharge or loading of a pollutant or pollutants.

Agriculture - means the science, art, and business of cultivating the soil, producing crops, and raising livestock.

Antidegradation Policies - refers to the State (*Statement of Policy with Respect to Maintaining High Quality Water in California*, State Board Resolution No. 68-16), which protects surface and ground waters from degradation, and federal policies, which protects high quality surface waters. In particular, this policy protects waterbodies where existing quality is higher than that necessary for the protection of beneficial uses including the protection of fish and wildlife propagation and recreation on and in the water.

Applicable Standards and Limitations - means all State, interstate, and federal standards and limitations to which a "discharge" or a related activity is subject under the CWA, including effluent limitations, water quality standards, standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under § 301, § 302, § 303, § 304, § 306, § 307, § 308, § 403, and § 404 of CWA.

Areas of Special Biological Significance (ASBS) - means all those areas of this state as ASBS, listed specifically within the California Ocean Plan or so designated by the State Board which, among other areas, includes the area from Mugu Lagoon to Latigo Point: Oceanwater within a line originating from Laguna Point at 34° 5' 40" north, 119° 6'30" west, thence southeasterly following the mean high tideline to a point at Latigo Point defined by the intersection of the meanhigh tide line and a line extending due south of Benchmark 24; thence due south to a distance of 1000 feet offshore or to the 100 foot isobath, whichever distance is greater; thence northwesterly following the 100 foot isobath or maintaining a 1,000-foot distance from shore, whichever maintains the greater distance from shore, to a point lying due south of Laguna Point, thence due north to Laguna Point.

Areas Subject to Storm Water Mitigation Requirements - means areas designated as an Area of Special Biological Significance (ASBS) by the State Board, an area designated as a significant natural resource by the California Resources Agency, or an area identified by the discharger as environmentally sensitive for water quality purposes, based on the Regional Water Board Basin Plan and CWA § 303(d) Impaired Water-bodies List for the County of Ventura.

Authorized Discharge - means any discharge that is authorized pursuant to an NPDES permit or meets the conditions set forth in this Order.

Authorization to discharge storm water from storm water treatment BMPs - This Order authorizes discharges from storm water treatment BMPs implemented or installed by the Permittees to reduce the discharge of pollutants in storm water discharges during rain events. All storm water BMPs shall be maintained at a frequency as specified by the manufacturer or more frequently. All storm water BMPs shall be drained to avoid stagnation or breeding of vectors.

Automotive Repair Shop - means a facility that is categorized in any one of the following Standard Industrial Classification (SIC) codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.

Automotive Service Facilities - means a facility that is categorized in any one of the following Standard Industrial Classification (SIC) and North American Industry Classification System (NAICS) codes. For inspection purposes, Permittees need not inspect facilities with SIC codes 5013, 5014, 5541, 5511, provided that these facilities have no outside activities or materials that may be exposed to storm water.

SIC Code	Corresponding NAICS Code
5013	425120, 441310, 425110, & 423120
5014	425120, 425110, 423130, & 441320
5511	441110
5541	447110, & 447190
7532	811121
7533	811112
7534	326212, & 811198
7536	811122
7537	811113
7538	811111
7539	811198, & 811118

Basin Plan - means the Water Quality Control Plan, Los Angeles Region, Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties, adopted by the Regional Water Board on June 13, 1994 and subsequent amendments.

Beneficial Uses - means the existing or potential uses of receiving waters in the permit area as designated by the Regional Water Board in the Basin Plan.

Best Management Practices (BMPs) - means methods, measures, or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges including storm water. BMPs include structural and nonstructural controls, and operation and maintenance procedures, which can be applied before, during, and/ or after pollution producing activities.

California Environmental Quality Act (CEQA) - means a California statute that requires state and local agencies to identify significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible (Reference: California Public Resources Code § 21000 et seq.)

Commercial Area(s) - means any geographic area of the Permittees' jurisdiction that is not heavy industrial or residential. A commercial area includes, but is not limited to areas surrounding: commercial activity, hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, plant nurseries, car wash facilities, mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses and other light industrial complexes.

Commercial Development - means any development on private land that is not heavy industrial or residential. The category includes, but is not limited to: hospitals, laboratories and other medical facilities, educational institutions, recreational facilities, plant nurseries, car wash facilities, mini-malls and other business complexes, shopping malls, hotels, office buildings, public warehouses and other light industrial complexes.

Construction - means any construction or demolition activity, clearing, grading, grubbing, or excavation or any other activity that results in a land disturbance. Construction also includes structure tear down, routine maintenance to maintain original line and grade if greater than 5 acres total but not necessarily at once, hydraulic capacity, or original purpose of facility; but does not include emergency construction activities required to immediately protect public health and safety; interior remodeling with no outside exposure of construction material or construction waste to storm water.

Construction Activities Storm Water General Permit (CASGP) - means the general NPDES permit adopted by the State Board, which authorizes the discharge of storm water from construction activities under certain conditions.

Control - means to minimize, reduce, eliminate, or prohibit by technological, legal, contractual or other means, the discharge of pollutants from an activity or activities.

Dechlorinated/ Debrominated Swimming Pool Discharge - means any swimming pool discharge with a residual chlorine or bromine level of 0.1mg/L; and does not contain any detergents, wastes, algaecides, or cyanuric acid in excess of 50 ppm, or any other additional chemicals including salts from pools commonly referred to as "salt water pools". The term does not include swimming pool filter backwash or swimming pool water containing bacteria.

Development - means any construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and any other non-residential projects, including public agency projects; or mass grading for future construction.

Directly Adjacent - means situated within 200 feet of the contiguous zone required for the continued maintenance, function, and structural stability of the environmentally sensitive area.

Directly Discharging - means outflow from a drainage conveyance system that is composed entirely or predominately of flows from the subject, property, development, subdivision, or industrial facility and not commingled with the flows from adjacent lands.

Discharge - means when used without qualification the "discharge of a pollutant."

Discharging Directly - means outflow from a drainage conveyance system that is composed entirely or predominantly of flows from the subject, property, development, subdivision, or industrial facility, and not commingled with the flows from adjacent lands.

Discharge of a Pollutant - means any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source" or, any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft, which is being used as a means of transportation. The term discharge includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

Disturbed Area - means any area that is altered as a result of land disturbance. Examples include but are not limited to: clearing, grading, grubbing, stockpiling and/ or excavation, etc...

Effluent limitation - means any restriction imposed by the Permitting Authority (PA) on quantities, discharge rates, concentrations, and/ or mass loadings of "pollutants" which are "discharged" from "point sources" into "waters of the United States," the waters of the "contiguous zone," or the ocean.

Emergency - means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. "Emergency" includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage (Reference: California Public Resources Code § 21060.3. Emergency).

Environment - means the physical conditions, which exist within the area which, will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The area involved shall be the area in which significant effects would occur either directly or indirectly as a result of the project. The "environment" includes both natural and man-made conditions.

Environmentally Sensitive Area - means an area "in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would be easily disturbed or degraded by human activities and developments" (Reference: California Public Resources Code § 30107.5). ESAs subject to storm water mitigation requirements are:

1. Regional Water Board's areas listed in the Basin Plan as supporting the "Rare, Threatened, or Endangered Species (RARE)" Beneficial Use.

2. California Coastal Commission's Environmentally Sensitive Habitat Areas as delineated on maps in Local Coastal Plans (LCPs).

Federal Clean Water Act (CWA) - means (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Public Law 92—500, as amended by Public Law 95—217, Public Law 95—576, Public Law 96—483 and Public Law 77—117, 33 U.S.C. 1251 et seq.

First Storm Event - means the first storm event of the wet season that produces at least 0.25 inches of rain.

Forest Land - means land at least 10 percent stocked with live trees, or land that had this minimum tree stocking in the past and is not currently developed for nonforest use. The minimum area recognized is 1 acre.

Groundwater Dewatering - means the active practice of removing standing water from soil excavations using a pump(s) or other means.

Hillside - means property located in an area with known erosive soil conditions, where the development contemplates grading on any natural slope that is 20% or greater and where grading contemplates cut or fill slopes.

Horse Stables - means a property where at least one horse is stabled at least part of the year.

Hydromodification - means the alteration away from a natural state of stream flows or the beds or banks of rivers, streams, or creeks, including ephemeral washes, which results in hydrogeomorphic changes.

Illegal Discharge - means any discharge to the municipal separate storm sewer (storm drain system) that is prohibited under local, state, or federal statutes, ordinances, codes, or regulations. The term illegal discharge includes all non-storm water discharges not composed entirely of storm water except discharges pursuant to an NPDES permit, discharges that are identified in Part 1, "Discharge Prohibitions" of this order, or discharges authorized by the Regional Water Board Executive Officer.

Illicit Connection - means any engineered conveyance that is connected to the storm drain system without a permit or municipal authorization. It also means any engineered conveyance through which discharges of pollutants to the separate storm drainage systems, which are not composed entirely of storm water or are not authorized by an NPDES permit.

Illicit Discharge - means any discharge to a municipal separate storm sewer (storm drain system) that is prohibited under local, state, or federal statutes, ordinances, codes, or regulations. The term illicit discharge includes all non-storm water discharges not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges that are identified in Part 1, "Discharge Prohibitions" of this order, or authorized by the Regional Water Board Executive Officer.

Illicit Disposal - means any disposal, either intentionally or unintentionally, of material(s) or waste(s) that can pollute storm water.

Industrial/ Commercial Facility - means any facility involved and/ or used in the production, manufacture, storage, transportation, distribution, exchange or sale of goods and/ or commodities, and any facility involved and/ or used in providing professional and non-professional services. This category of facilities includes, but is not limited to, any facility defined by either the Standard Industrial Classifications (SIC) or the North American Industry Classification System (NAICS). Facility ownership (federal, state, municipal, private) and profit motive of the facility are not factors in this definition.

Industrial Activities Storm Water General Permit (IASGP) - means the general NPDES permit adopted by the State Board, which authorizes the discharge of storm water from certain industrial activities under certain conditions.

Industrial Park - means a land development that is set aside for industrial development. Industrial parks are usually located close to transport facilities, especially where more than one transport modalities coincide: highways, railroads, airports, and navigable rivers. It includes office parks, which have offices and light industry.

Inspection - means entry and the conduct of an on-site review of a facility and its operations, at reasonable times, to determine compliance with specific municipal or other legal requirements. The steps involved in performing an inspection, include, but are not limited to:

1. Pre-inspection documentation research..
2. Request for entry.
3. Interview of facility personnel.
4. Facility walk-through.
5. Visual observation of the condition of facility premises.
6. Examination and copying of records as required.
7. Sample collection (if necessary or required).
8. Exit conference (to discuss preliminary evaluation).
9. Report preparation, and if appropriate, recommendations for coming into compliance.

Integrated Pest Management (IPM) - means a sustainable approach to managing pests by combining biological, cultural, physical and chemical tools in a way that minimizes economic, health, and environmental risks.

Large Municipal Separate Storm Sewer System (MS4) - means all MS4s that serve a population greater than 250,000 (1990 Census) as defined in 40 CFR 122.26 (b)(4). The Regional Water Board designated Ventura County as a large MS4 in 1990, based on: (i) the U.S. Census Bureau 1990 population count of 669,016 thousand, and (ii) the interconnectivity of the MS4s in the incorporated and unincorporated areas within the County.

Local SWPPP - means the Local Storm Water Pollution Prevention Plan (LSWPPP) required by the local agency for a project that disturbs one or more acres of land. Shall mean a plan identifying potential pollutant sources from a construction site and describing proposed design, placement and implementation of BMPs, to effectively prevent non-storm water Discharges and reduce Pollutants in Storm Water Discharges to the Storm Drain System, during construction activities. Also referred as a Storm Water Pollution Control Plan (SWPCP).

Maximum Extent Practicable (MEP) - means the standard for implementation of storm water management programs to reduce pollutants in storm water. CWA § 402(p)(3)(B)(iii) requires that municipal permits "shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and system, design and engineering methods, and such other provisions as the Administrator or the State determines appropriate for the control of such pollutants." Also, see State Board Order WQ 2000-11, page 20 and Browner decision (Defenders of Wildlife v. Browner (1999), 191 F.3d 1159).

Method Detection Limit (MDL) - means the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in 40 CFR 136, Appendix "G" of this Order.

Minimum Level (ML) - means the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed. The ML value represents the lowest quantifiable concentration in a sample based on the proper application of all method-based analytical procedures and the absence of any matrix interferences. Assuming that all method-specific analytical steps are followed, the ML value will also represent, after the appropriate application of method-specific factors, the lowest standard in the calibration curve for that specific analytical technique.

Municipal Separate Storm Sewer System (MS4) - means a conveyance or system of conveyances (including roads w/ drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains), as defined in 40 CFR 122.26(b)(8):

1. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law)...including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under § 208 of the Federal Clean Water Act (CWA) that discharges into waters of the United States.
2. Designed or used for collecting or conveying storm water.
3. Which is not a combined sewer.
4. Which is not part of a Publicly Owned Treatment Works (POTW), as defined in 40 CFR 122.2.

NAICS - means North American Industry Classification System.

National Pollutant Discharge Elimination System (NPDES) - means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under CWA § 307, 402, 318, and 405. The term includes an "approved program."

Natural Drainage Systems - means unlined or unimproved (not engineered) creeks, streams, rivers or similar waterways.

New Development - means land disturbing activities; structural development, including construction or installation of a building or structure, creation and replacement of impervious surfaces; and land subdivision.

Non-Storm Water Discharge - means any discharge to a storm drain that is not composed entirely of storm water.

Nuisance - means anything that meets all of the following requirements: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property; (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.; (3) occurs during, or as a result of, the treatment or disposal of wastes.

Nursery - The NAICS will be used to classify nursery operations and determine the type of operations covered under this Order and those covered under the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Conditional Waiver).

(a) There are 3 broad NAICS sectors available to classify nurseries:
  (1) 111xxx - Crop Production - Agriculture.
  (2) 424xxx - Merchant Wholesalers, Nondurable Goods.
  (3) 44xxxx - Retail Trade.
    (A) **Nursery (Agricultural Facilities - Crop Production) -** means Nursery and Floriculture Production under NAICS Code 11142x. These operations are subject to the **Conditional Waiver**. This industry comprises establishments primarily engaged in (1) growing nursery and floriculture products (e.g., nursery stock, shrubbery, cut flowers, flower seeds, foliage plants, sod) under cover or in open fields and/ or (2) growing short rotation woody trees with a growing and harvesting cycle of 10 years or less for pulp or tree stock (e.g., cut Christmas trees, cottonwoods).
    (B) **Nursery (Commercial Facilities - Merchant Wholesalers, Nondurable Goods, and Retail Trade)** - means industries Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers under NAICS Code 424930; and Nursery, Garden Center, and Farm Supply Stores under NAICS Code 444220. This Order covers these types of operations. The industry in NAICS Code 424930 comprises establishments primarily engaged in the merchant wholesale distribution of flowers, florists' supplies, and/ or nursery stock (except plant seeds and plant bulbs). The industry in NAICS Code 444220 comprises establishments primarily engaged in retailing nursery and garden products, such as trees, shubs, plants, seeds, bulbs, floriculture products and sod, which are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves.

Open Channel – means a storm drainage channel that is not a natural water course

Parking Lot - means land area or facility for the parking or storage of motor vehicles used for businesses, commerce, industry, or personal use.

Permit - means an authorization, license, or equivalent control document issued by EPA or an "approve State" to implement the requirements of 40 CFR Parts 122, 123, and 124. "Permit" includes an NPDES "general permit" (§ 122.28). Permit does not include any permit, which has not yet been the subject of final agency action, such as a "draft permit" or a "proposed permit."

Permittee(s) - means Co-Permittee(s) and any agency named in this Order as being responsible for permit conditions within its jurisdiction, as defined by Federal Regulation. Permittees to this Order include the Ventura Water Protection District, Ventura County, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley and Thousand Oaks.

Point Source - means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include agricultural storm water discharges and return flows from irrigated agriculture.

Point Zero - means in the context of the TMDLs, the point at which water from the storm drain or creek initially mixes with water. Point zero has been selected as the compliance point for the TMDL numeric target because access to these drains is, on the whole, not restricted.

Pollutants - means those "pollutants" defined in CWA § 502(6) (33.U.S.C.§ 1362(6)), and incorporated by reference into California Water Code § 13373.

Potable Drinking Water Supply - means potable drinking water supply releases that are consistent with the *Guidance Manual for Disposal of Chlorinated Water* sponsored by the American Water Works Association (AWWA) Research Foundation, 6666 West Quincy Avenue, Denver, CO 80235 and published by the AWWA Research Foundation and the AWWA in 2001 (ISBN 1-58321-143-8). The discharges shall be controlled and shall not cause erosion downstream nor have a residual chlorine concentration greater than 0.1 mg/L at the entry to the storm drain system or channel or natural system.

Potable Drinking Water Supply Releases - means potable drinking water supply releases shall be consistent with the *Guidance Manual for Disposal of Chlorinated Water* sponsored by the American Water Works Association (AWWA) Research Foundation, 6666 West Quincy Avenue, Denver, CO 80235 and published by the AWWA Research Foundation and the AWWA in 2001 (ISBN 1-58321-143-8). The discharges shall be controlled and shall not cause erosion downstream nor have a residual chlorine concentration greater than 0.1 mg/L at the entry to the storm drain system or channel or natural system.

Potable Water Distribution Systems Releases - means releases of flows from drinking water storage, supply and distribution systems including flows from system failures, pressure releases, system maintenance, distribution line testing, fire hydrant flow testing; and flushing and dewatering of pipes, reservoirs, vaults, and minor non-invasive well maintenance activities not involving chemical addition(s). It does not include wastewater discharges from activities that occur at wellheads, such as well construction, well development (i.e., aquifer pumping tests, well purging, etc.), or major well maintenance nor discharge of water from a line that has come into contact with soil as in a trench. Nonetheless, all potable drinking water supply releases shall be consistent with the *Guidance Manual for Disposal of Chlorinated Water* sponsored by the American Water Works Association (AWWA) Research Foundation, 6666 West Quincy Avenue, Denver, CO 80235 and published by the AWWA Research Foundation and the AWWA in 2001 (ISBN 1-58321-143-8). The discharges shall be controlled and shall not cause erosion at the discharge point or downstream nor have a residual chlorine concentration greater than 0.1 mg/L at the entry to the storm drain system or channel or natural system.

Pre-Developed Condition - means native vegetation and soils that existed at a site prior to first development. The pre-developed condition may be assumed to be an area with the typical vegetation, soil, and storm water runoff characteristics of open space areas in coastal Southern California unless reasonable historic information is provided that the area was atypical.

Priority Pollutants - means those constituents referred to in 40 CFR 401.15 and listed in the U.S. EPA NPDES Application Form 2C, pp. V-3 through V-9.

Project - means all development, redevelopment, and land disturbing activities. The term is not limited to "Project" as defined under CEQA (Reference: California Public Resources Code § 21065).

Rare, Threatened, or Endangered Species (RARE) - means a beneficial use for waterbodies in the Los Angeles Region, as designated in the Basin Plan (Table 2-1), that supports habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered.

Redevelopment - means land-disturbing activity that results in the creation, addition, or replacement of 5,000 square feet or more of impervious surface area on an already developed site. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of a routine maintenance activity; and land disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

Regional Administrator - means the Regional Administrator of the Regional Office of the U.S. EPA or the authorized representative of the Regional Administrator.

Report of Waste Discharge (ROWD) - means an application for renewal of the NPDES Permit for Waste Discharge Requirements for Municipal Separate Storm Sewer Discharges Within the Ventura County Watershed Protection District, County of Ventura and the Incorporated Cities Therein.

Restaurant - means a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC Code 5812).

Restoration - means the reestablishment of predisturbance aquatic functions and related physical, chemical and biological characteristics (Reference: National Research Council. 1992. Restoration of Aquatic Ecosystems: Science, Technology and Public Policy. National Academy Press, Washington, D.C.)

Retail Gasoline Outlet (RGO) - means any facility engaged in selling gasoline and lubricating oils- SIC 5541 and NAICS 447110 & 447190.

- RGOs: 447190 Other Gasoline Stations:
  This industry comprises establishments known as gasoline stations (except those with convenience stores) primarily engaged in one of the following: (1) retailing automotive fuels (e.g., diesel fuel, gasohol, gasoline) or (2) retailing these fuels in combination with activities, such as providing repair services; selling automotive oils, replacement parts, and accessories; and/ or providing food services.
- RGOs: 447110 Gasoline Stations with Convenience Stores:
  Retailing automotive fuels in combination with a convenience store or food mart.

Runoff - means any runoff including storm water and dry weather flows from a drainage area that reaches a receiving water body or subsurface. It is typically comprised of nuisance flows contaminated with pollutants.

SARA Title III - is the Superfund Amendment and Reauthorization Act of 1986 also known as the Emergency Planning and Community Right-To-Know Act (EPCRA). This act mandated the establishment of State Emergency Response Commissions (SERCs), Tribal Emergency Response Commissions (TERCs), and Local Emergency Planning Committees (LEPCs) who are responsible for preparing for hazardous materials emergencies through planning and training.

Screening - means using proactive methods to identify illicit connections through a continuously narrowing process. The methods may include: performing baseline monitoring of open channels, conducting special investigations using a prioritization approach, analyzing maintenance records for catch basin and storm drain cleaning and operation, and verifying all permitted connections into the storm drains. Special investigation techniques may include: dye testing, visual inspection, smoke testing, flow monitoring, infrared, aerial and thermal photography, and remote control camera operation.

Sidewalk Rinsing - means only sidewalk rinsing using high pressure and low volume of water with no additives and at an average usage of 0.006 gallons per square foot of surface area to be rinsed. Any waste generated from the activity must be collected and properly and legally disposed of. It does not mean hosing of any sidewalk nor street with a garden hose with a pressure nozzle.

Significant Redevelopment - means land-disturbing activity that results in the creation or addition or replacement of 5,000 square feet or more of impervious surface area on an already developed site.

Site - means the land or water area where any "facility or activity" is physically located or conducted, including adjacent land used in connection with the facility or activity.

SMC - means Southern California Stormwater Monitoring Coalition. The Stormwater Monitoring Coalition is a collaborative research/ monitoring partnership of the Southern California Water Boards, Municipal Storm Water Agencies, and municipalities to develop the methodologies and assessment tools to more effectively understand urban storm water and non-storm water (anthropogenic) impacts to receiving waters and to conduct research/ monitoring through Subsequent Research Implementation Agreements. The first original cooperative agreement was entered into on February 8, 2001.

Small Construction - means any soil disturbing activities less than 5 acres.

SoCal B-IBI - means Southern California Benthic Index of Biological Integrity.

Source Control BMP - means any schedules of activities, prohibitions of practices, maintenance procedures, managerial practices or operational practices that aim to prevent storm water pollution by reducing the potential for contamination at the source of pollution.

Stream - means a body of flowing water; natural water course containing water at least part of the year. In hydrology, it is generally applied to the water flowing in a natural channel as distinct from a canal (Reference: US Geological Survey).

Strip Mall - means a commercial development that is a shopping center where the stores are arranged in a row, with a sidewalk in front. Strip malls are typically developed as a unit and have large parking lots in front. They face major traffic arterials and tend to be self-contained with few pedestrian connections to surrounding neighborhoods. It is also called a plaza.

Storm Sampling Event - means a rainfall event that produces more than 0.25 inch of precipitation and that, which is separated from the previous storm event by at least 1 week of dry weather, for the purpose of monitoring.

Storm Water - means storm water runoff, snow melt runoff, and surface runoff and drainage, as defined in 40 CFR 122.26(b)(13).

Storm Water Discharge Associated with Industrial Activity - means industrial discharge, as defined in 40 CFR 122.26(b)(14).

Storm Water Pollution Control Plan (SWPCP) - means a plan identifying potential pollutant sources from a construction site and describing proposed design, placement and implementation of BMPs, to effectively prevent non-storm water Discharges and reduce Pollutants in Storm Water Discharges to the Storm Drain System, during construction activities. Also referred to as a Local Storm Water Pollution Prevention Plan (LSWPPP)

Storm Water Quality Management Program - means the Ventura Countywide Storm Water Quality Management Plan, which includes descriptions of programs, collectively developed by the Permittees in accordance with provisions of the NPDES Permit, to comply with applicable federal and state law, as the same is amended from time to time.

Structural BMP - means any structural facility designed and constructed to mitigate the adverse impacts of storm water runoff pollution (e.g. canopy, structural enclosure). The category may include both Treatment Control BMPs and Source Control BMPs.

SWAMP - means the State and Regional Water Boards' Surface Water Ambient Monitoring Program.

Targeted Employees - means management and staff who perform or direct activities that directly or indirectly have an effect of storm water quality. The employees generally are employed in the following areas: department of public works, or engineering, or sanitation, or storm water maintenance, drainage and flood control, transportation, streets and roads, parks and recreation, public landscaping and corporation yards, planning or community development, code enforcement, building and safety, harbor dept, airports, buses and trains, and/ or general services and fleet services.

Total Maximum Daily Load (TMDL) - means the sum of the individual waste load allocations for point sources and load allocations for nonpoint sources and natural background.

Total Maximum Daily Load (TMDL) Dry Weather- defined in the Bacteria TMDLs as those days with less than 0.1 inch of rainfall and those days occurring within three days after a rain.

Toxicity Identification Evaluation (TIE) - means a set of procedures to identify the specific chemical(s) responsible for toxicity through a process of chemical/ physical manipulations of samples followed by toxicity tests. These procedures are performed in 3 phases (Phase I- Toxicity Characterization Procedure, Phase II- Toxicity Identification Procedure, and Phase III- Toxicity Confirmation Procedure) using aquatic organism toxicity tests.

Toxicity Reduction Evaluation (TRE) - means a study conducted in a step-wise process to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity.

Treatment - means the application of engineered systems that use physical, chemical, or biological processes to remove pollutants. Such processes include, but are not limited to, filtration, gravity settling, media absorption, biodegradation, biological uptake, chemical oxidation and UV radiation.

Treatment Control BMP - means any engineered system designed to remove pollutants by simple gravity settling of particulate pollutants, filtration, biological uptake, media absorption or any other physical, biological, or chemical process.

Urbanization - means the process of changing of land use and land patterns from rural characteristics to urban (city-like) characteristics. These changes include (i) the replacement of pervious surfaces with impervious surfaces such as rooftops and buildings, and impervious materials such as asphalt and concrete; and (ii) the conversion of rural land to house new residents, support new businesses, and facilitate vehicular traffic flow.

U.S. EPA Phase I Facilities - means facilities in specified industrial categories that are required to obtain an NPDES permit for storm water discharges, as required by 40 CFR 122.26(c). These categories include:

- Facilities subject to storm water effluent limitation guidelines, new source performance.
- Standards, or toxic pollutant effluent standards (40 CFR N).
- Manufacturing facilities.
- Oil and gas/ mining facilities.
- Hazardous waste treatment, storage, or disposal facilities.
- Landfills, land application sites, and open dumps.
- Recycling facilities.
- Steam electric power generating facilities.

- Transportation facilities.
- Sewage of wastewater treatment works.
- Light manufacturing facilities.

Vehicle Maintenance/ Material Storage Facilities/ Corporation Yards - means any Permittee owned or operated facility or portion thereof that:

1. Conducts industrial activity, operates or stores equipment, materials, and provides services similar to Federal Phase I facilities;
2. Performs fleet vehicle service/ maintenance including repair, maintenance, washing, or fueling;
3. Performs maintenance and/ or repair of machinery/ equipment; or
4. Stores chemicals, raw materials, or waste materials.

Waste Load Allocations (WLAs) - means a portion of a receiving water's Total Maximum Daily Pollutant Load (TMDL) that is allocated to one of its existing or future point sources of pollution (Reference: 40 CFR § 130.2(h)).

Water Quality Objectives - means water quality criteria contained in the Basin Plan, the California Ocean Plan, the National Toxics Rule, the California Toxics Rule, and other state or federally approved surface water quality plans. Such plans are used by the Regional Water Board to regulate all discharges, including storm water discharges.

Water Quality Standards - means the State Water Quality Standards, which are comprised of beneficial uses, water quality objectives and the State's Antidegradation Policy.

Waters of the State - means any surface water or groundwater, including saline waters, within boundaries of the state (Reference: California Water Code § 13050).

Waters of the United States or Waters of the US - means:

a. All waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
b. All interstate waters, including interstate “wetlands”;
c. All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, “wetlands,” sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
    1. Which are or could be used by interstate or foreign travelers for recreational or other purposes;
    2. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

3. Which are used or could be used for industrial purposes by industries in interstate commerce;

d. All impoundment's of waters otherwise defined as waters of the United States under this definition;
e. Tributaries of waters identified in the preceding paragraph (a) through (d) of this definition;
f. The territorial sea; and
g. "Wetlands" adjacent to waters (other than waters that are themselves wetlands) identified in the preceding paragraph (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 423.22(m), which also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to man-made bodies of water, which neither were originally created in waters of the United States (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with U.S. EPA. SOLID WASTE AGENCY OF NORTHERN COOK CTY. V.ARMY CORPS OF ENGINEERS (531 U.S. 159 (2001)) The U.S. Supreme Courts SWANCC Decision upheld the primary rights and responsibilities of States over land and water but limited the water and wetland areas subject to federal regulation under the Clean Water Act.

Watercourse - means any natural or artificial channel for passage of water, including the VCFCD jurisdictional channels included in the List of Channels within the Comprehensive Plan of the VCFCD, as approved by the Board of Supervisors of the VCFCD on October 4, 1993, and any amendments thereto.

Watershed Management - means approach for water resources protection. It is a strategy for integrating and managing resources, both human and fiscal that focuses on regulation of point sources, to a more regional approach that acknowledges environmental impacts from other activities.

Watershed Management Areas (WMA) - means the geographically-defined watershed areas where the Regional Water Board will implement the watershed approach. These generally involve a single large watershed within which exists smaller subwatersheds but in some cases may be an area that does not meet the strict hydrologic definition of a watershed e.g., several small Ventura coastal waterbodies in the region are grouped together into one WMA.

Wet Season - means the calendar period beginning October 1 through April 15.

Whole Effluent Toxicity - means the aggregate toxic effect of an effluent measured directly by a toxicity test.

PART 8 - STANDARD PROVISIONS

A. General Requirements

1. The Permittee shall comply with all provisions and requirements of this Order.

2. Should the Permittee discover that it failed to submit any relevant facts or that it submitted incorrect information in a report it shall promptly submit the missing or correct information.

3. The Permittee shall report all instances of non-compliance not otherwise reported at the time monitoring reports are submitted.

4. This Order includes Attachment "F", the Reporting Program, which is a part of this Order and must be complied with.

B. Regional Water Board Review

1. The Regional Water Board may review any formal determinate or approval made by the Regional Water Board Executive Officer pursuant to the provisions of this Order.

   (a) Permittee(s) or a member of the public may request such review upon petition within 30 day of the effective date of the notification of such decision to the Permittee(s) and interested parties on file at the Regional Water Board.

C. Public Review

1. All documents submitted to the Regional Water Board in compliance with the terms and conditions of this Order shall be made available to members of the public pursuant to the Freedom of Information Act (5 U.S.C. § 552), as amended, and the Public Records Act (California Government Code § 6250 et seq.).

2. All documents submitted to the Regional Water Board Executive Officer for approval shall be made available to the public for a 30-day period to allow for public comment.

D. Duty to Comply [40 CFR 122.41(a)]

1. Each Permittee must comply with all of the terms, requirements, and conditions of this Order. Any violation of this order constitutes a violation of the Clean Water Act, its regulations and the California Water Code, and is grounds for enforcement action, Order termination, Order revocation and reissuance, denial of an application for

reissuance, or a combination thereof [40 CFR 122.41(a), CAL. WATER CODE § 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350].

2. A copy of these waste discharge specifications shall be maintained by each Permittee so as to be available during normal business hours to Permittee employees and members of the public.

3. Any discharge of wastes at any point(s) other than specifically described in this Order is prohibited, and constitutes a violation of the Order.

E. Duty to Mitigate [40 CFR 122.41 (d)]

1. Each Permittee shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.

F. Inspection and Entry; Investigations; Responsibilities [40 CFR 122.41(i), Cal. Water Code § 13225 and § 13267]

1. The Regional Water Board, U.S. EPA, and other authorized representatives shall be allowed:

   (a) Entry upon premises where a regulated facility is located or conducted, or where records are kept under conditions of this Order;

   (b) Access to copy any records, at reasonable times that are kept under the conditions of this Order;

   (c) To inspect at reasonable times any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order;

   (d) To photograph, sample, and monitor at reasonable times for the purpose of assuring compliance with this Order, or as otherwise authorized by the CWA and the CAL. WATER CODE;

   (e) To review any water quality control plan or waste discharge requirements, or in connection with any action relating to any plan or requirement to investigate the quality of any waters of the state within its region; and,

   (f) To require as necessary any state or local agency to investigate and report on any technical factors involved in water quality control or to obtain and submit analyses of water.

G. Proper Operation and Maintenance [40 CFR 122.41 (e), Cal. Water Code § 13263(f)]

1. The Permittees shall at all times properly operate and maintain all facilities and systems of treatment (and related appurtenances) that are installed or used by the Permittees to achieve compliance with this Order. Proper operation and maintenance includes:
   (a) adequate laboratory controls; and
   (b) appropriate quality assurance procedures.

2. This provision requires the operation of backup or auxiliary facilities or similar system that are installed by a Permittee only when necessary to achieve compliance with the conditions of this Order.

H. Signatory Requirements [40 CFR 122.41(k) & 122.22]

1. Except as otherwise provided in this Order, all applications, reports, or information submitted to the Regional Water Board shall be signed by the Director of Public Works, City Engineer, or authorized designee and certified as set forth in 40 CFR 122.22.

I. Reopener and Modification [40 CFR 122.41(f) & 122.62]

1. This Order may only be modified, revoked, or reissued, prior to the expiration date, by the Regional Water Board, in accordance with the procedural requirements of the CAL. WATER CODE and CCR Title 23 for the issuance of waste discharge requirements, 40 CFR 122.62, and upon prior notice and hearing, to:
   (a) Address changed conditions identified in the required reports or other sources deemed significant by the Regional Water Board;
   (b) Incorporate applicable requirements or statewide water quality control plans adopted by the State Board or amendments to the Basin Plan, including TMDLs;
   (c) Comply with any applicable requirements, guidelines, and/ or regulations issued or approved pursuant to CWA § 402(p); and/ or,
   (d) Consider any other federal, or state laws or regulations that became effective after adoption of this Order.

2. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
   (a) Violation of any term or condition contained in this Order;
   (b) Obtaining this Order by misrepresentation, or failure to disclose all relevant facts; or,
   (c) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

3. The filing of a request by the Principal Permittee or Permittees for a modification, revocation and re-issuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

4. This Order may be modified to make corrections or allowances for changes in the permitted activity listed in this section, following the procedures at 40 CFR 122.63, if processed as a minor modification. Minor modifications may only:
   (a) Correct typographical errors; or
   (b) Require more frequent monitoring or reporting by the Permittee.

J. Severability

1. The provisions of this Order are severable; and if any provision of this Order or the application of any provision of this Order to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Order shall not be affected.

K. Duty to Provide Information [40 CFR 122.41(h)]

1. The Permittees shall furnish, within a reasonable time, any information the Regional Water Board or U.S. EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order.

2. The Permittees shall also furnish to the Regional Water Board, upon request, copies of records required to be kept by this Order.

L. Twenty-Four Hour Reporting [40 CFR 122.41(l)(6)][1]

1. The Permittees shall report to the Regional Water Board any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time any Permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

[1] This provision applies to incidents where effluent limitations (numerical or narrative) as provided in this Order or in the Ventura County SMP are exceeded, and which endanger public health or the environment.

2. The Regional Water Board may waive the required written report on a case-by-case basis.

M. Bypass [40 CFR 122.41(m)][1]

1. Bypass (the intentional diversion of waste streams from any portion of a treatment facility) is prohibited. The Regional Water Board may take enforcement action against Permittees for bypass unless:

   (a) Bypass was unavoidable to prevent loss of life, personal injury or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.);

   (b) There were no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment down time. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that could occur during normal periods of equipment downtime or preventive maintenance;

   (c) The Permittee submitted a notice at least ten days in advance of the need for a bypass to the Regional Water Board; or,

   (d) Permittees may allow a bypass to occur that does not cause effluent limitations to be exceeded, but only if it is for essential maintenance to assure efficient operation. In such a case, the above bypass conditions are not applicable. The Permittee shall submit notice of an unanticipated bypass as required.

N. Upset [40 CFR 122.41(n)][2]

1. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment

[1]This provision applies to the operation and maintenance of storm water controls and BMPs as provided in this Order or in the Ventura County SMP.
[2]This provision applies to incidents where effluent limitations (numerical or narrative) as provided in this Order or in the Ventura County SMP are exceeded, and which endanger public health or the environment.

facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

2. A Permittee that wishes to establish the affirmative defense of an upset in an action brought for non compliance shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
   (a) An upset occurred and that the Permittee can identify the cause(s) of the upset;
   (b) The permitted facility was being properly operated by the time of the upset;
   (c) The Permittee submitted notice of the upset as required; and,
   (d) The Permittee complied with any remedial measures required.

3. No determination made before an action for noncompliance, such as during administrative review of claims that non-compliance was caused by an upset, is final administrative action subject to judicial review.

4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

O. Property Rights [40 CFR 122.41(g)]

1. This Order does not convey any property rights of any sort, or any exclusive privilege.

P. Enforcement

1. Violation of any of the provisions of the NPDES permit or any of the provisions of this Order may subject the violator to any of the penalties described herein, or any combination thereof, at the discretion of the prosecuting authority; except that only one kind of penalties may be applied for each kind of violation. The CWA provides the following:

   (a) Criminal Penalties for:
      (1) Negligent Violations:
      The CWA provides that any person who negligently violates permit conditions implementing CWA § 301, 302, 306, 307, 308, 318, or 405 is subject to a fine of not less than $2,500 nor more than $25,000 per day for each violation, or by imprisonment for not more than 1 year, or both.
      (2) Knowing Violations:
      The CWA provides that any person who knowingly violates permit conditions implementing CWA § 301, 302, 306, 307, 308, 318, or 405 is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than 3 years, or both.

(3) Knowing Endangerment:
The CWA provides that any person who knowingly violates permit conditions implementing CWA § 301, 302, 307, 308, 318, or 405 and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than $250,000, or by imprisonment for not more than 15 years, or both.

(4) False Statement:
The CWA provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than $10,000 or by imprisonment for not more than two years, or by both. If a conviction is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or by both. (See CWA § 309(c)(4))

(b) Civil Penalties
The CWA provides that any person who violates a permit condition implementing CWA § 301, 302, 306, 307, 308, 318, or 405 is subject to a civil penalty not to exceed $27,500 per day for each violation.

Q. Need to Halt or Reduce Activity not a Defense [40 CFR 122.41(c)]

1. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order.

R. Rescission of Board Order

1. Regional Water Board Order No. 00-108 is hereby rescinded.

S. Board Order Expiration Date

1. This Order expires on **Xx xx, 200x**. The Permittees must submit a Report of Waste Discharge (ROWD) and a proposed Storm Water Quality Management Program in accordance with CCR Title 23 as application for reissuance of waste discharge requirements no later than 180 days in advance of such date (**Xx xx, 200x**).

T. MS4 Annual Reporting Program [40 CFR 122.42(c)]

1. The Annual Program Reporting shall include the following information:

   (a) *Municipal separate storm sewer systems.*
   The operator of a large or medium municipal separate storm sewer system or a municipal separate storm sewer that has been designated by the Director under 40 CFR 122.26(a)(1)(v) of this part must submit an annual report by the anniversary of the date of the issuance of the permit for such system. The report shall include:
   (1) The status of implementing the components of the storm water management program that are established as permit conditions;
   (2) Proposed changes to the storm water management programs that are established as permit condition. Such proposed changes shall be consistent with 40 CFR 122.26(d)(2)(iii) of this part;
   (3) Revisions, if necessary, to the assessment of controls and the fiscal analysis reported in the permit application under 40 CFR 122.26(d)(2)(iv) and (d)(2)(v) of this part;
   (4) A summary of data, including monitoring data that is accumulated throughout the reporting year;
   (5) Annual expenditures and budget for year following each annual report;
   (6) A summary describing the number and nature of enforcement actions, inspections, and public education programs; and
   (7) Identification of water quality improvements or degradation.

I, Jonathan S. Bishop, Regional Water Board Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on **Xx xx, 200x**.

_____

Jonathan S. Bishop
Executive Office

NPDES No. CAS004002
Ventura County Municipal Storm Sewer Permit

Land Jurisdictions in Ventura County, California

Order No. 06-xxx

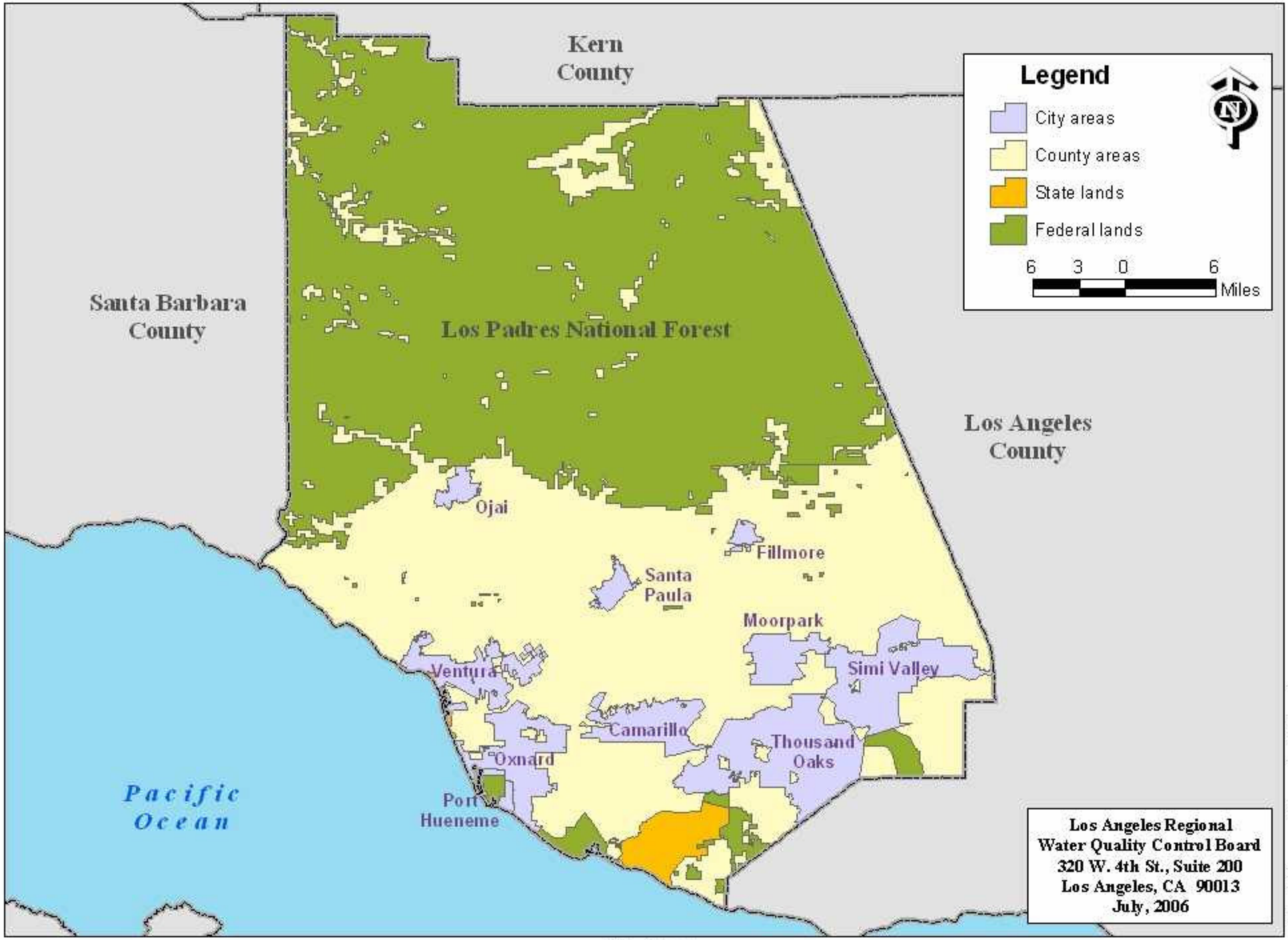

Figure 1

ATTACHMENT A
Watershed Management Areas

Watershed Management Area	Hydrologic Units(s)	Major Surface Water Bodies	303(d) Pollutant(s) of Concern	Permittees
Ventura River	402.10 402.20 402.31 402.32	Ventura River Ventura River Estuary Canada Larga Matilija Creek Matilija Creek Reservoir San Antonio Creek	Algae Coliform (fecal, total) Eutrophic Low DO Nitrogen Trash	City of Ojai City of San Buenaventura Ventura County Watershed Protection District
Santa Clara River	403.11 403.21 403.22 403.31 403.32 403.41 403.42 403.43 403.44 403.51 403.52 403.53 403.54 403.55	Santa Clara River Santa Clara River Estuary Brown Barranca/Long Canyon Elizabeth Lake Hopper Creek Lake Hughes Mint Canyon Creek Munz Lake Piru Creek Pole Creek Sespe Creek Torrey Canyon Creek Wheeler Canyon/Todd Barranca	Algae Ammonia ChemA* (tissue) Chloride Coliform Enrichment Eutrophic Fish kills Low DO/Organic Enrichment Nitrate + Nitrite Odors pH Sulfate Trash Total Dissolved Solids Toxaphene	City of Fillmore City of Oxnard City of San Buenaventura City of Santa Paula Ventura County Watershed Protection District

ATTACHMENT A
Watershed Management Areas

Watershed Management Area	Hydrologic Units(s)	Major Surface Water Bodies	303(d) Pollutant(s) of Concern	Permittees
Calleguas Creek	403.11 403.12 403.61 403.62 403.63 403.64 403.67 403.66 403.68	Calleguas Creek Calleguas Creek Estuary Arroyo Conejo Arroyo Las Posas Arroyo Simi Beardsley Channel Conejo Creek Fox Barranca Mugu Lagoon Mugu Drain/Oxnard Drain Rio de Santa Clara/Oxnard Drain Revolon Slough Tapo Canyon	Algae Ammonia Boron ChemA* (tissue) Chlordane (tissue, sediment) Chloride Chlorpyrifos (tissue) Coliform, fecal Copper (total, dissolved) Dacthal (sediment) DDT (tissue, sediment) Dieldrin (tissue) Endosulfan (tissue, sediment) Hexachlorocyclohexane (tissue) Mercury Nickel Nitrate + Nitrite Nitrate as Nitrogen (NO3) Nitrogen Organophosphorus Pesticides PCBs (tissue) Sediment Toxicity Sedimentation/Siltation Selenium Sulfate Total Dissolved Solids Toxaphene (tissue, sediment) Toxicity Trash Zinc	City of Camarillo City of Moorpark City of Simi Valley City of Thousand Oaks Ventura County Watershed Protection District

ATTACHMENT A
Watershed Management Areas

Watershed Management Area	Hydrologic Units(s)	Major Surface Water Bodies	303(d) Pollutant(s) of Concern	Permittees
Malibu Creek	401.00 403.11 404.21 404.22 404.23 404.24 404.25 404.26 404.47 404.45	Malibu Creek Malibu Creek Lagoon Lake Lindero Lake Sherwood Las Virgenes Creek Linero Creek Malibou Lake Medea Creek Palo Comado Santa Monica Bay Westlake Lake Triunfo Creek	Algae Ammonia Coliform DDT (tissue, sediment) Enteric viruses Eutrophic Lead Low DO/Organic Enrichment Nutrients (algae) PAHs (sediment) PCBs (tissue, sediment) PH Mercury Scum/foam Sedimentation/Siltation Sediment Toxicity Selenium Specific Conductance Trash	City of Simi Valley City of Thousand Oaks Ventura County Watershed Protection District

ATTACHMENT A
Watershed Management Areas

Watershed Management Area	Hydrologic Units(s)	Major Surface Water Bodies	303(d) Pollutant(s) of Concern	Permittees
Miscellaneous Ventura Coastal	401.00 403.11	Channel Islands Harbor Channel Islands Beach Hobie Beach Mandalay Beach McGrath Lake McGrath Beach Ormond Beach Port Hueneme Harbor Promenade Park Beach Rincon Beach San Buenaventura Beach Santa Clara River Estuary Beach/Surfers Knoll Ventura Harbor: Ventura Keys	Beach closures Coliform (fecal) Chlordane (sediment) DDT (tissue, sediment) Dieldrin (sediment) PCBs (tissue, sediment) Lead (sediment) Sediment Toxicity Zinc (sediment)	City of Oxnard City of Port Hueneme City of San Buenaventura Ventura County Watershed Protection District

ATTACHMENT B

Mass Emission and Receiving Water Wet Weather Pollutants of Concern[1]

Anion	**Bacteriological**
Chloride	E. Coli
	Fecal Coliform

Conventional	**Metal**
Residual Chlorine	Aluminum -Total
TDS	Arsenic - Total
	Barium - Total
	Beryllium - Total
	Cadmium - Total
	Chromium - Total
	Cooper - Dissolved
	Mercury - Total
	Nickel - Total
	Selenium - Total
	Zinc - Dissolved

Nutrient	**Organic**
Nitrate as Nitrogen	Benzo(a)anthracene
	Benzo(a)pyrene
	Benzo(b)fluoranthene
	Benzo(k)fluoranthene
	Bis(2-ethylhexyl)phthalate
	Chrysene
	Indeno(1,2,3-cd)pyrene

Pesticide
4,4'-DDD
4,4'-DDE

[1] Mass Emission and Receiving Water monitoring site's wet weather Pollutants of Concern (POC) classification and exceedences (Basin Plan Objective and CTR-Acute Objective) based on data from Ventura Countywide NPDES Stormwater Monitoring Program Water Quality Monitoring Reports (2003/04 through 2005/06). Data for 2000/01 through 2002/03 was either presented with exceedences not analyzed or by percent exceedence, so data could not be compared to 2003/04 through 2005/06 exceedence data.

ATTACHMENT B
Mass Emission Dry Weather Pollutants of Concern[1]

Anion	Bacteriological
Chloride	E. Coli
	Fecal Coliform

Conventional	Metal
TDS	Aluminum -Total
	Cadmium - Dissolved
	Cadmium - Total
	Selenium - Total

Nutrient	Organic
Nitrate as Nitrogen	Bis(2-ethylhexyl)phthalate

Pesticide
4,4'-DDD
4,4'-DDE
4,4'-DDT

[1] Mass Emission monitoring site's dry weather Pollutants of Concern (POC) classification and exceedences (Basin Plan Objective and CTR-Chronic Objective) based on data from Ventura Countywide NPDES Stormwater Monitoring Program Water Quality Monitoring Reports (2003/04 through 2005/06). Data for 2000/01 through 2002/03 was either presented with exceedences not analyzed or by percent exceedence, so data could not be compared to 2003/04 through 2005/06 exceedence data.

ATTACHMENT B
Land Use Wet Weather Pollutants of Concern[1]

Bacteriological	**Conventional**
E. Coli	Ph
Fecal Coliform	TDS

Metal	**Nutrient**
Aluminum -Total	Nitrate as Nitrogen
Cooper - Dissolved	
Mercury - Total	
Selenium - Total	
Zinc - Dissolved	

Organic	**Pesticide**
Benzo(a)anthracene	4,4'-DDD
Benzo(a)pyrene	4,4'-DDE
Benzo(b)fluoranthene	
Benzo(k)fluoranthene	
Bis(2-ethylhexyl)phthalate	
Chrysene	
Dibenz(a,h)anthracene	
Hexachlorobenzene	
Indeno(1,2,3-cd)pyrene	
Pentachlorophenol	

[1] Land Use monitoring site's wet weather Pollutants of Concern (POC) classification and exceedences (Basin Plan Objective and CTR- Acute Objective) based on data from Ventura Countywide NPDES Stormwater Monitoring Program Water Quality Monitoring Reports (2003/04 through 2005/06). Data for 2000/01 through 2002/03 was either presented with exceedences not analyzed or by percent exceedence, so data could not be compared to 2003/04 through 2005/06 exceedence data.

ATTACHMENT C
Municipal Action Levels

Table 1

Conventional Pollutants & Bacteria

Pollutants	pH	TSS mg/L	COD mg/L	Total Coliform mpn/100 ml	E. Coli mpn/100 ml
Median	7.5	59	53	12000	1750
Municipal Action Level	----	106.2	58.3	--------	--------
Coefficient of variation[1]	0.1	1.8	1.1	2.0	2.0

Table 2

Metals

Pollutants	Cd, total µg/L	Cd, filtered µg/L	Cr, total µg/L	Cr, filtered µg/L	Cu, total µg/L	Cu, filtered µg/L	Pb, total µg/L	Pb, filtered µg/L	Ni, total µg/L	Zn, total µg/L	Zn, filtered µg/L
Median	1.0	0.50	7.0	2.1	16	8.0	17	3.0	8.0	116	52
Municipal Action Level	2.0	0.55	10.5	1.5	32.0	12.8	30.6	6.0	9.6	232.0	104.0
Coefficient of variation[1]	2.0	1.1	1.5	0.7	2.0	1.6	1.8	2.0	1.2	2.0	2.0

[1] Since the Municipal Action Levels (MALs) are based on the median, which includes the variability of the sample results, the maximum value for the coefficient of variation has been set at 2.0.

ATTACHMENT D
Critical Sources Categories[1]

Municipal Landfills (SIC 4953)

Hazardous Waste Treatment, Disposal and Recovery Facilities[1]

Facilities Subject to SARA Title III (also known as EPCRA)[2]

Restaurants[3]

Wholesale trade (scrap, auto dismantling) (SIC 50)

Automotive service facilities[2]

Fabricated metal products (SIC 34)

Motor freight (SIC 42)

Chemical/allied products (SIC 28)

Automotive Dealers/Gas Stations (SIC 55)

Primary Metals Products (SIC 33)

Nursery[3] (NAICS 424930 and 444220)

Electric/Gas/Sanitary (SIC 49)

Air Transportation (SIC 45)

Rubbers/Miscellaneous Plastics (SIC 30)

Local/Suburban Transit (SIC 41)

Railroad Transportation (SIC 40)

Oil & Gas Extraction (SIC 13)

Lumber/Wood Products (SIC 24)

Machinery Manufacturing (SIC 35)

Transportation Equipment (SIC 37)

[1] Non-underlined categories belong to Industrial Facilities.
[2] Various categories subject to these requirements.
[3] See Definition in Part 7. of the Order.

ATTACHMENT D
Critical Sources Categories[1]

Stone, Clay, Glass, Concrete (SIC 32)

Leather/Leather Products (SIC 31)

Miscellaneous Manufacturing (SIC 39)

Food and kindred Products (SIC 20)

Mining of Nonmetallic Minerals (SIC 14)

Printing and Publishing (SIC 27)

Electric/Electronic (SIC 36)

Paper and Allied Products (SIC 26)

Furniture and Fixtures (SIC 25)

Laundries *(SIC 72)*

Instruments (SIC 38)

Textile Mills Products (SIC 22)

Apparel (SIC 23)

[1] Non-underlined categories belong to Industrial Facilities.

ATTACHMENT E
Determination of Erosion Potential

E_p is determined as follows- The *total effective work* done on the channel boundary is derived and used as a metric to predict the likelihood of channel adjustment given watershed and stream hydrologic and geomorphic variables. The index under urbanized conditions is compared to the index under pre-urban conditions expressed as a ratio (E_p). The effective work index (W) is computed as the excess shear stress that exceeds a critical value for streambed mobility or bank material erosion integrated over time and represents the total work done on the channel boundary:

$$W = \sum_{i=1}^{n} (\tau_i - \tau_c)^{1.5} \cdot V \cdot \Delta t_i \qquad (1)$$

Where τ_c = critical shear stress that initiates bed mobility or erodes the weakest bank layer, τ_i = applied hydraulic shear stress, Δt = duration of flows (in hours), and n = length of flow record. The effective work index for presumed stable stream channels under pre-urban conditions is compared to stable and unstable channels under current urbanized conditions. The comparison, expressed as a ratio, is defined as the Erosion Potential (Ep)[1] (McRae (1992, 1996).

$$Ep = \frac{W_{post}}{W_{pre}} \qquad (2)$$

where:

W_{post} = work index estimated for the post-urban condition
W_{pre} = work index estimated for the pre-urban condition

[1] MacRae, C.R. 1992. The Role of Moderate Flow Events and Bank Structure in the Determination of Channel Response to Urbanization. Resolving conflicts and uncertainty in water management: Proceedings of the 45th Annual Conference of the Canadian Water Resources Association. Shrubsole, D, ed. 1992, pg. 12.1-12.21; MacRae, C.R. 1996. Experience from Morphological Research on Canadian Streams: Is Control of the Two-Year Frequency Runoff Event the Best Basis for Stream Channel Protection. Effects of Watershed Development and Management on Aquatic Ecosystems, ASCE Engineering Foundation Conference, Snowbird, Utah, pg. 144-162

ATTACHMENT G

Storm Water Monitoring Program's Constituents with Associated Minimum Levels (MLs)[1]

CONSTITUENTS	MLs
CONVENTIONAL POLLUTANTS	**mg/L**
Oil and Grease	5
Total Phenols	0.1
Cyanide	0.005
pH	0 - 14
Temperature	N/A
Dissolved Oxygen	Sensitivity to 5 mg/L
BACTERIA (single sample limits)	**MPN/100ml**
Total coliform (marine waters)	10,000
Enterococcus (marine waters)	104
Fecal coliform (marine & fresh waters)	400
E. coli (fresh waters)	235
GENERAL	**mg/L**
Dissolved Phosphorus	0.05
Total Phosphorus	0.05
Turbidity	0.1 NTU
Total Suspended Solids	2
Total Dissolved Solids	2
Volatile Suspended Solids	2
Total Organic Carbon	1
Total Petroleum Hydrocarbon	5
Biochemical Oxygen Demand	2
Chemical Oxygen Demand	20-900
Total Ammonia-Nitrogen	0.1
Total Kjeldahl Nitrogen	0.1
Nitrate-Nitrite	0.1
Alkalinity	2
Specific Conductance	1umho/cm
Total Hardness	2
MBAS	0.5
Chloride	2
Fluoride	0.1
Methyl tertiary butyl ether (MTBE)	1
Perchlorate	4 µg/L

[1] For priority pollutants, MLs published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California (SIP) shall be used for all analyses, unless otherwise specified. Method Detection Levels (MDLs) must be lower than or equal to the ML value, unless otherwise approved by the Regional Board.

ATTACHMENT G

Storm Water Monitoring Program's Constituents with Associated Minimum Levels (MLs)[1]

METALS (Dissolved & Total)	**µg/L**
Aluminum	100
Antimony	0.5
Arsenic	1
Beryllium	0.5
Cadmium	0.25
Chromium (total)	0.5
Copper	0.5
Hex. Chromium	5
Iron	100
Lead	0.5
Mercury	0.5
Nickel	1
Selenium	1
Silver	0.25
Thallium	1
Zinc	1
SEMIVOLATILE ORGANIC COMPOUNDS	**µg/L**
ACIDS	**µg/L**
2-Chlorophenol	2
4-Chloro-3-methylphenol	1
2,4-Dichlorophenol	1
2,4-Dimethylphenol	2
2,4-Dinitrophenol	5
2-Nitrophenol	10
4-Nitrophenol	5
Pentachlorophenol	2
Phenol	1
2,4,6-Trichlorophenol	10
BASE/NEUTRAL	**µg/L**
Acenaphthene	1
Acenaphthylene	2
Anthracene	2
Benzidine	5
1,2 Benzanthracene	5
Benzo(a)pyrene	2
Benzo(g,h,i)perylene	5
3,4 Benzoflouranthene	10

ATTACHMENT G

Storm Water Monitoring Program's Constituents with Associated Minimum Levels (MLs)[1]

BASE/NEUTRAL	**µg/L**
Benzo(k)flouranthene	2
Bis(2-Chloroethoxy) methane	5
Bis(2-Chloroisopropyl) ether	2
Bis(2-Chloroethyl) ether	1
Bis(2-Ethylhexl) phthalate	5
4-Bromophenyl phenyl ether	5
Butyl benzyl phthalate	10
2-Chloroethyl vinyl ether	1
2-Chloronaphthalene	10
4-Chlorophenyl phenyl ether	5
Chrysene	5
Dibenzo(a,h)anthracene	0.1
1,3-Dichlorobenzene	1
1,4-Dichlorobenzene	1
1,2-Dichlorobenzene	1
3,3-Dichlorobenzidine	5
Diethyl phthalate	2
Dimethyl phthalate	2
di-n-Butyl phthalate	10
2,4-Dinitrotoluene	5
2,6-Dinitrotoluene	5
4,6 Dinitro-2-methylphenol	5
1,2-Diphenylhydrazine	1
di-n-Octyl phthalate	10
Fluoranthene	0.05
Fluorene	0.1
Hexachlorobenzene	1
Hexachlorobutadiene	1
Hexachloro-cyclopentadiene	5
Hexachloroethane	1
Indeno(1,2,3-cd)pyrene	0.05
Isophorone	1
Naphthalene	0.2
Nitrobenzene	1
N-Nitroso-dimethyl amine	5
N-Nitroso-diphenyl amine	1
N-Nitroso-di-n-propyl amine	5
Phenanthrene	0.05
Pyrene	0.05
1,2,4-Trichlorobenzene	1

ATTACHMENT G

Storm Water Monitoring Program's Constituents with Associated Minimum Levels (MLs)[1]

CHLORINATED PESTICIDES	**µg/L**
Aldrin	0.005
alpha-BHC	0.01
beta-BHC	0.005
delta-BHC	0.005
gamma-BHC (lindane)	0.02
alpha-chlordane	0.1
gamma-chlordane	0.1
4,4'-DDD	0.05
4,4'-DDE	0.05
4,4'-DDT	0.01
Dieldrin	0.01
alpha-Endosulfan	0.02
beta-Endosulfan	0.01
Endosulfan sulfate	0.05
Endrin	0.01
Endrin aldehyde	0.01
Heptachlor	0.01
Heptachlor Epoxide	0.01
Toxaphene	0.5
POLYCHLORINATED BIPHENYLS	**µg/L**
Aroclor-1016	0.5
Aroclor-1221	0.5
Aroclor-1232	0.5
Aroclor-1242	0.5
Aroclor-1248	0.5
Aroclor-1254	0.5
Aroclor-1260	0.5
ORGANOPHOSPHATE PESTICIDES	**µg/L**
Atrazine	2
Chlorpyrifos	0.05
Cyanazine	2
Diazinon	0.01
Malathion	1
Prometryn	2
Simazine	2
HERBICIDES	**µg/L**
2,4-D	0.02
Glyphosate	5
2,4,5-TP-SILVEX	0.2

STATE OF CALIFORNIA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

MONITORING PROGRAM - No. CI 7388
FOR
ORDER 07-xxxx
NPDES PERMIT NO. CAS004002
WASTE DISCHARGE REQUIREMENTS

MUNICIPAL SEPARATE STORM SEWER SYSTEM DISCHARGES WITHIN THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT, COUNTY OF VENTURA AND THE INCORPORATED CITIES THEREIN.

Xxxxx xx, 200x

December 27, 2006

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Monitoring Program

The primary objectives of the Monitoring Program include, but are not limited to:

- Assessing the chemical, physical, and biological impacts of receiving waters resulting from urban runoff.
- Characterization of the quality of storm water discharges.
- Identifying sources of pollutants.
- Assessing the overall health and evaluating long-term trends in receiving water quality.
- Assessing compliance with effluent limitations and water quality objectives.
- Measuring and improving the effectiveness of measures implemented under this Order.

The results of the monitoring requirements outlined below shall be used to refine BMPs for the reduction of pollutant loading and the protection and enhancement of the beneficial uses of the receiving waters in Ventura County.

The Permittees shall implement the Monitoring Program as follows:

CORE MONITORING

A. Mass Emissions

The Principal Permittee shall monitor mass emissions to accomplish the following objectives:

- Estimate the mass emissions from the MS4.
- Assess trends in the mass emissions over time.
- Determine if the MS4 is contributing to exceedences of water quality objectives by comparing results to applicable water quality objectives in the Water Quality Control Plan Los Angeles Region (Basin Plan), the Ocean Plan, and the California Toxics Rule (CTR) for both acute and chronic criteria.

1. The Santa Clara River mass emission station (ME-SCR) shall be relocated so that mass emissions measurements include urban storm water discharges from the cities of San Buenaventura and Oxnard. Until the ME-SCR station is relocated, the Principal Permittee in coordination with the cities of San Buenaventura (ME-SB) and Oxnard (ME-OX) shall separately monitor mass emissions from the two urbanized areas.

   (a) Monitor the largest representative drainage systems transporting 60 percent or more of flow from the Municipal drainage area to the Santa Clara River for the city of San Buenaventura and the city of Oxnard, to estimate the total mass emissions for these cities.

2. The Principal Permittee shall monitor mass emissions from the following 5 mass emission stations:
   (a) ME-VR for Ventura River.
   (b) ME-SCR for Santa Clara River.
   (c) ME-SB for Santa Clara River (until ME-SCR is relocated).
   (d) ME-OX for the Santa Clara River (until ME-SCR is relocated).
   (e) ME-CC for Calleguas Creek.

3. Samples for mass emission monitoring may be taken with the same type of automatic sampler used under Order 00-108.

4. Samplers shall be set to monitor storms that produce 0.25 inches or greater of rainfall.

5. Samples are to be flow-weighted composites and can be collected manually or automatically for ME-SB and ME-OX (see section A.6).

6. Samples shall be flow-weighted composites, collected during the first 3 hours or for the duration of the storm if it is less than 3 hours. A minimum of 3 sample aliquots, separated by a minimum of 15 minutes, shall be taken within each hour of discharge, unless the Regional Water Board Executive Officer approves an alternate protocol.

7. Flow may be estimated using EPA methods at sites where flow measurement devices are not in place.

8. The Principal Permittee shall monitor:

   (a) The first storm event of the wet season that produces at least 0.25 inches of rain, and 2 additional storm events.

   (b) Also, 2 dry weather flow events shall be monitored.
      (A) Monitor 1 prior to the onset of wet weather- October 1st (during the months of May - June).
      (B) Monitor 1 post wet weather- April 15th (during the months of August - September).

   (c) A total of 5 monitoring events (3 storm and 2 dry weather) shall be sampled per mass emission station.

9. All storms events, in addition to those required above, that result in at least 0.25 inches of rainfall shall be sampled and analyzed for total suspended solids (TSS). Results shall be used to assess the variability of storm water constituents and provide an accurate estimate of mass emissions (pollutant correlation with TSS).

10. Grab samples shall be taken for pathogen indicators and oil and grease, only.

11. All samples taken shall be analyzed for all constituents listed in Attachment "G" (Storm Water Monitoring Program's Constituents with Associated Minimum Levels). If a constituent is not detected at the Method Detection Limit (MDL) for its respective test method in more than 75 percent of the first 48 sampling events at a station, it need not be further analyzed unless the observed occurrences show concentrations greater than state water quality objective. The Principal Permittee shall conduct annual confirmation sampling for non-detected constituents during the first storm of the wet season every year at each station.

12. At a minimum a sufficient sample volume must be collected to perform all of the required chemical and biological tests, including toxicity.

13. When monitoring can not be performed to comply with the requirements of this Order due to circumstances beyond the Permittees control, then within 48 hours the following shall be submitted to the Regional Water Board Executive Officer:

    (a) Statement of situation.
    (b) Explanation of circumstance(s) with documentation.
    (c) Statement of corrective action for the future.

14. Monitoring results submitted for compliance shall include:

    (a) Statement that a sample is either a wet or dry weather sample.
    (b) Rain totals and hydrographs for monitoring events in both narrative and graphic formats.
    (c) All applicable Standard Monitoring Provisions listed in section "J".

15. Monitoring results from each station shall be sent electronically to the Regional Board's Storm Water Site at MS4stormwaterrb4@waterboards.ca.gov, no later than 45 days from sample collection date. The sample data transmitted shall be in the Southern California Municipal Storm Water Monitoring Coalition's (SMC) Standardized Data Transfer Formats (SDTFs) and its updates.[1]

16. The Principal Permittee shall perform an annual analysis, to be included in the Annual Storm Water Report, of the correlation between POC (including, but not limited to metals and PAHs) and TSS loading for the sampling events that are analyzed for the complete list of constituents in Attachment "G".

[1] The SMC developed a SDTFs for use by member agencies for electronic recording and transfer of storm water monitoring data. Southern California Coastal Water Research Project, Technical Report 421 (August, 2004).

17. A summary of the years' mass emission station's monitoring results highlighting exceedences (POC) to Basin Plan, the Ocean Plan, and the CTR for both acute and chronic criteria with corresponding sampling dates shall be included with the Annual Storm Water Report.

B. Aquatic Toxicity Monitoring

The objective of aquatic toxicity monitoring is to evaluate if storm water and non-storm water discharges are causing or contributing to acute and/ or chronic toxic impacts on aquatic life by the following:

- Toxicity at the mass emission stations is to be evaluated using marine test organisms to assess impacts on the marine or estuarine environments.
- Toxicity at tributary stations is to be evaluated using freshwater test organisms to assess impacts on the freshwater environment.

The Principal Permittee shall analyze mass emission samples and tributary samples for aquatic toxicity to evaluate the extent and causes of toxicity in receiving waters. Permittees shall utilize documents such as: Ventura County's Technical Guidance Manual for Storm Water Quality Control Measures and U.S. EPA's National Management Measures to Control Nonpoint Source Pollution from Urban Areas to implement measures to eliminate or reduce sources of toxicity in storm water.

1. The Principal Permittee shall analyze samples for toxicity from 2 storm events (including, the first storm event that produces a rainfall of at least 0.25 inches) for each mass emission station and tributary station per wet season.

   (a) A minimum of 1 marine species shall be used for toxicity testing for each mass emission station event. Specifically, ***Strongylocentrotus purpuratus*** (sea urchin) fertilization/ development tests shall be used. This test should include a dilution series (0.5x steps) that ranges from the undiluted sample (or the highest concentration that can be tested within the limitations of the test methods or sample type) too less than or equal to 6% sample. In no case shall the toxicity test species ***Strongylocentrotus purpuratus*** (sea urchin) be substituted with another organism unless Permittees receive written authorization from the Regional Water Board Executive Officer.

   (b) A minimum of 1 freshwater species shall be used for toxicity testing for each tributary station event. Specifically, ***Ceriodaphnia dubia*** (water flea) 7-day survival/ reproduction tests shall be used. In no case shall the toxicity test species ***Ceriodaphnia dubia*** (water flea) be substituted with another organism unless Permittees receive written authorization from the Regional Water Board Executive Officer.

2. Toxicity Identification Evaluations (TIE)

   The Principal Permittee shall complete acute and/ or chronic Phase I (Toxicity Characterization Procedures) TIEs for all sites showing 90 percent or more toxicity to any 1-test organism in the first year. For all sites showing a 20 percent or more toxicity to any 1-test organism an acute and/ or chronic Phase I TIE shall be completed in the second year. The acute and chronic Phase I TIEs shall include the following treatments and corresponding blanks:

   (a) Baseline toxicity.
   (b) Particle removal by centrifugation.
   (c) Solid phase extraction of the centrifuged sample using C18 media.
   (d) Complexation of metals using ethylenediaminetetraacetic acid (EDTA) addition to the raw sample.
   (e) Neutralization of oxidants/ metals using sodium thiosulfate addition to the raw sample.
   (f) Inhibition of Organophosphate (OP) pesticide activation using piperonyl butoxide addition to the raw sample (crustacean toxicity tests only).

3. A TIE Prioritization Metric may be utilized to rank sites for TIEs. [2]

4. Toxicity Reduction Evaluations (TRE)

   (a) When the same pollutant or class of pollutants is identified through the TIE process as causing at least 50% of the toxic responses in at least 2 samples at a sampling location, a TRE shall be performed for that identified toxic pollutant. TRE development shall be performed by a neutral third party (retained by the Permittees), in consultation with the Regional Water Board staff. The TRE shall include all reasonable steps to identify the source(s) of toxicity and discuss appropriate BMPs to eliminate the causes of toxicity. No later than 30 days after the source of toxicity and appropriate BMPs are identified, the Permittees shall submit the TRE Corrective Action Plan to the Regional Water Board Executive Officer for approval. At a minimum, the Plan shall include a discussion of the following items:
      (1) The potential sources of pollutant(s) causing toxicity.
      (2) A list of municipalities that may have jurisdiction over sources of pollutant(s) causing toxicity.
      (3) Recommended BMPs to reduce the pollutant(s) causing toxicity.
      (4) Proposed post construction control measures to reduce the pollutant(s) causing toxicity.
      (5) Follow-up monitoring to demonstrate that toxicity has been removed.

[2] Appendix 5. SMC Model Monitoring Program.

(b) Phase I results are intended as a first step in specifically identifying the toxicants but the data generated can also be used to develop treatment methods to remove toxicity without specific identification of the toxicants. Since Phase I TIEs characterize the physical/ chemical nature of the constituents which cause toxicity, additional TIE (Phase II- Toxicity Identification Procedures- identify non-polar organics, ammonia, or metals, and Phase III- Toxicity Confirmation Procedures) analyses may be required in order to identify and/ or confirm the identity of the pollutants causing toxicity before the TRE can be completed.

(c) If TRE implementation for a specific pollutant coincides with TMDL implementation for that pollutant, the efforts may be coordinated.

(d) Upon approval by the Regional Water Board Executive Officer, the Permittee(s) having jurisdiction over sources causing or contributing to toxicity shall implement the recommended BMPs and take all reasonable steps necessary to eliminate toxicity.

(e) The Principal Permittee shall be responsible for the development of a maximum of 2 TREs per year. If applicable, the Principal Permittee may use the same TRE for the same toxic pollutant or pollutant class in different watersheds. The TRE process shall be coordinated with TMDL development and implementation (i.e., If a TMDL for 4,4'-DDD is being implemented when a TRE for 4,4'-DDD is required, the efforts shall be coordinated to avoid overlap).

(f) The Principal Permittee shall report on the development, implementation, and results for each TRE Corrective Action Plan in the Annual Report, beginning the year following the identification of each pollutant or pollutant class causing toxicity.

(g) Samples for toxicity are to be flow-weighted composites and can be collected manually or automatically (see section A.6 and A.7).

5. At a minimum a sufficient sample volume shall be collected to perform the required toxicity test. When using the toxicity test species the following is required:
   (a) ***Ceriodaphnia dubia*** (water flea) a minimum sample volume of 4 liters;
   (b) ***Strongylocentrotus purpuratus*** (sea urchin) a minimum sample volume of 2 liters.

6. Sample storage (holding time) time shall not exceed 72 hours (from collection through lab processing).

7. The same refrigerated sample showing toxicity shall be used for the TIE, even though the holding time may exceed 72 hours.

8. Toxicity monitoring results shall be sent to the Regional Water Board in the same electronic format and time period as provided for the mass emission monitoring results in section A.10.

9. The Principal Permittee shall report on the development, implementation, and results for each TRE Corrective Action Plan in the Annual Storm Water Report, beginning the year following the identification of each pollutant or pollutant class causing toxicity.

10. All constituents (POC) that caused toxicity or exceeded any applicable water quality objectives at the associated mass emission station the previous year shall be listed in each Annual Storm Water Report.

11. A summary of the years' mass emission station's Aquatic Toxicity monitoring results with corresponding sampling dates and ToxCalc output shall be included with the Annual Storm Water Report.

12. When the SMC Standardized Toxicity Testing Protocol is completed, the Regional Water Board Executive Officer may direct Permittees to replace the current toxicity program with the standardized procedure.

C. Tributary Monitoring

The Principal Permittee shall monitor tributary emissions to accomplish the following objectives:

- Identify sub-watersheds where storm water discharges are causing or contributing to exceedences of water quality objectives.
- Prioritize drainage and sub-drainage areas where control measures need to be implemented.
- Determine if the MS4 is contributing to exceedences of water quality objectives by comparing results to applicable water quality objectives in the Basin Plan, and the California Toxics Rule (CTR) for both acute and chronic criteria.

1. In selecting sites to conduct tributary monitoring, Permittees shall review existing monitoring programs in the watersheds by other public and private entities, watershed coalitions, and citizen volunteers so as to complement and not duplicate efforts.

2. The Principal Permittee shall develop a watershed-based tributary monitoring program no later than (6 months after adoption of this Order) and submit it for approval to the Regional Water Board Executive Officer. The tributary monitoring program shall include the following:

   (a) A description of the program, map and coordinates of the location for each of the proposed monitoring stations.

   (b) Monitoring dates (years) for all stations.

3. The Principal Permittee shall develop and implement a tributary monitoring program based on the following requirements:

   (a) No later than (2nd year of this Order), monitoring within a Watershed Management Area (WMA) shall begin in at least 1 of the WMAs listed below (C.3.b) for a period of 2 years. Monitoring stations shall be rotated to the remaining WMA(s) when the current monitoring at each station is completed, as approved by the Regional Water Board Executive Officer.

   (b) The WMAs listed below shall have the following major tributaries monitored:
      (1) Ventura River- 2 tributaries (San Antonio Creek and McDonald Creek).
      (2) Santa Clara River- 3 tributaries (Santa Paula, Sespe Creek and Piru).
      (3) Calleguas Creek- 2 tributaries (Revolon Slough and Conejo Creek).

   (c) The Principal Permittee shall monitor the first storm event of the wet season that produces at least 0.25 inches of rain, and 2 additional storm events per tributary station, for a total of 3 sampling events.

   (d) Samples taken during the first storm event of the wet season shall be analyzed for all constituents listed Attachment "G".

   (e) Samples taken during the 2 additional storm events of the wet season shall be analyzed for:
      (1) All constituents for which the water body is impaired downstream of the monitoring station (303(d) list of water quality limited segments).
      (2) The POC listed for its associated mass emission station.

   (f) Samples shall be flow-weighted composites and can be collected manually or automatically (see section A.6 and A.7).

   (g) Provisions enumerated in the Mass Emission sections' A.5 through A.7, A.10, A.12, A.13, A.14(b), A.14(c), and A.15.

(h) Samples shall be taken no further than 0.25 mile upstream of the tributary's confluence with the mainstem, when applicable, but outside of the influence of the mainstem. Sampling shall occur down stream of all potential pollutant sources (i.e., discharge pipes, channels, ditches, creeks, etc.).

(i) Incorporate Pyrethroid sampling (Pyrethroid Insecticides Study- section "H") into all sampling events.

4. If exceedences of applicable water quality objectives occur in at least 2 storm events at a single major tributary station, the Permittees shall initiate a focused effort to identify the source(s) of pollutant(s) within that subwatershed. A corrective action plan to assess and identify the source(s) of pollutant(s) shall be submitted within 90 days after the exceedence to the Regional Water Board Executive Officer. The assessment shall be conducted consistent with the guidelines described in the Model MS4 Monitoring Program for assessment of urban runoff contribution.

5. Tributary monitoring within the Malibu Creek WMA shall be coordinated with the Malibu Creek Total Maximum Daily Load (TMDL) Monitoring Program.

6. All constituents (POC) that caused toxicity or exceeded any applicable water quality objectives at the associated mass emission station the previous year shall be listed in the Annual Report.

7. A summary of the years' tributary station's monitoring results with corresponding sampling dates and ToxCalc output shall be included in the Annual Report.

D. TMDL Monitoring

This Monitoring section incorporates the TMDL MS4 Waste Load Allocations (WLAs) that have been adopted by the Regional Water Board and have been approved by the Office of Administrative Law and the U.S. EPA.

- See Part 6 - Total Maximum Daily Load Provisions for prohibition field screening criteria and WLAs.
- See section E. Federal, State and Regional Regulations, #13 for effective dates.
- All Mass Emission monitoring shall be conducted in accordance with the Mass Emission sections' A.3., A.5., A.6., and A.7.
- Grab samples shall be taken for pathogen indicators.
- Samples for toxicity are to be flow-weighted composites and can be collected manually or automatically (see section A.6 and A.7).
- ***Ceriodaphnia dubia*** (water flea) 7-day survival/ reproduction tests shall be used for toxicity testing.
- Monitoring results for each TMDL shall be sent electronically to the Regional Board's Storm Water Site at MS4stormwaterrb4@waterboards.ca.gov, no later

than 45 days from sample collection date. The sample data transmitted shall be in the Southern California Municipal Storm Water Monitoring Coalition's (SMC) Standardized Data Transfer Formats (SDTFs) and its updates.

- A summary of the years' monitoring results for each TMDL with corresponding sampling dates and ToxCalc output (if applicable) shall be included in the Annual Monitoring Report.

1. **Watershed - Pollutant**
   Santa Clara River and its Tributaries (Reach 3) - Nitrogen Compounds (Ammonia and Nitrate plus Nitrite).

   (a) Waste Load Implementation
   The WLAs are expressed as numerical limits in-stream for Ammonia and Nitrate within the Santa Clara River and its Tributaries' Watershed (Reach 3), established for its MS4 Permittees (Ventura County Watershed Protection District, and the Cities of Santa Paula and Fillmore) are to be implemented through the following:
   (1) Dry weather - Upon adoption of the Order (**Xx xx, 200x**), the discharge of dry weather flows from the MS4 to Santa Clara River that exceed the WLA is prohibited. Permittees shall implement an illicit connection/ discharge elimination (ICIDE) program to detect and eliminate the discharge of Ammonia and Nitrate plus Nitrite to the MS4, and shall monitor a minimum of 2 dry weather flow events at the Santa Clara River mass emission station (ME-SCR). The MS4 Permittees shall monitor 1 dry weather flow event prior to the onset of wet weather- October 1st (during the months of May - June); and monitor 1 dry weather flow event post wet weather- April 15th (during the months of August - September).
   (2) MS4 Permittees shall not exceed water quality objectives in the Water Quality Control Plan Los Angeles Region (Basin Plan), the Ocean Plan, and the California Toxics Rule (CTR) for both acute and chronic criteria for Ammonia and Nitrate plus Nitrite.

   (b) The implementation plan must be submitted to the Regional Water Board Executive Officer 30 days prior to TMDL compliance date.
   (1) After the Regional Water Board considers and approves the stakeholder submitted implementation plan for the Santa Clara River and its Tributaries' Nitrogen Compounds TMDL, then the TMDL Implementation Plans' monitoring program may be substituted for the compliance monitoring stated herein. The Regional Water Board (or Regional Water Board Executive Officer, when duly delegated), consistent with 40 CFR 122.41, may approve changes to the Monitoring Program, after providing the opportunity for public comment.

2. **Watershed - Pollutant**
Malibu Creek and Lagoon - Bacteria.

(a) Waste Load Implementation
The WLAs are expressed as exceedence days in-stream for Bacteria within Malibu Creek and Lagoon Watershed, established for its MS4 Permittees (Ventura County Watershed Protection District, County of Ventura, and the Cities of Simi Valley and Thousand Oaks) shall be implemented through the following:

(1) Summer Dry Weather (April 1 - October 31) - Upon adoption of the Order (**Xx xx, 200x**), the discharge of summer dry weather flows from the MS4 to Malibu Creek and Lagoon is prohibited. Permittees shall implement an illicit connection/ discharge elimination (ICIDE) program to detect and eliminate the discharge of Bacteria to the MS4, and shall monitor weekly from April 1 - October 31, weeks that contain days with less than 0.1 inch of rainfall (events separated by 3 days of dry weather) for exceedences to the WLAs in-stream at point zero of all publicly owned storm drain pipes and open channels/ drains discharging to the following:

Table 1

1. Potrero Valley Creek to the Ventura County Line
2. Las Virgenes Creek to the Ventura County Line

(2) Winter Dry Weather (November 1 to March 31) - Upon adoption of the Order (**Xx xx, 200x**), the discharge of winter dry weather flows from the MS4 to Malibu Creek and Lagoon is prohibited. Permittees shall implement an illicit connection/ discharge elimination (ICIDE) program to detect and eliminate the discharge of Bacteria to the MS4, and shall monitor weekly from November 1 to March 31, weeks that contain days with less than 0.1 inch of rainfall (events separated by 3 days of dry weather) for exceedences to the WLAs in-stream at point zero of all publicly owned storm drain pipes and open channels/ drains discharging to the following:

Table 2

1. Potrero Valley Creek to the Ventura County Line
2. Las Virgenes Creek to the Ventura County Line

(3) Wet Weather (November 1 - October 31) - This portion of the TMDL must be achieved within 10 years from the effective date of the TMDL, which is beyond the term of this Order and therefore is not covered under this Order.

(b) The implementation plan must be submitted to the Regional Water Board Executive Officer 30 days prior to TMDL compliance date.
   (1) After the Regional Water Board considers and approves the stakeholder submitted implementation plan for the Malibu Creek and Lagoon - Bacteria TMDL, then the TMDL Implementation Plans' monitoring program may be substituted for the compliance monitoring stated herein. The Regional Water Board (or Regional Water Board Executive Officer, when duly delegated), consistent with 40 CFR 122.41, may approve changes to the Monitoring Program, after providing the opportunity for public comment.

3. **Watershed - Pollutant**
Calleguas Creek, its Tributaries and Mugu Lagoon - Toxicity, Chlorpyrifos and Diazinon.

(a) Waste Load Implementation
The WLAs are expressed as numerical limits in-stream for Toxicity, Chlorpyrifos and Diazinon within Calleguas Creek, its Tributaries and Mugu Lagoon's Watershed, established for its MS4 Permittees (Ventura County Watershed Protection District, County of Ventura, and the Cities of Camarillo, Moorpark, Simi Valley, and Thousand Oaks) are to be implemented through the following:
   (1) Wet Weather - Upon adoption of the Order (**Xx xx, 200x**), the MS4 Permittees shall develop wet weather toxicity testing and compliance protocol and procedures. This may be accomplished by participating in the Southern California Municipal Storm Water Monitoring Coalition's (SMC) Standardized Toxicity Testing Protocol study. After the completion of the SMC study, the Permittees shall submit a report to the Regional Water Board Executive Officer identifying the testing protocol and compliance criteria, for consideration and approval. The Regional Water Board Executive Officer will approve a toxicity testing protocol and compliance criteria after providing the opportunity for public comment.
   (2) The MS4 Permittees, thereafter shall conduct toxicity testing for WLA compliance with both acute and chronic criteria for Chlorpyrifos and Diazinon on the first storm event of the wet season that produces at least 0.25 inches of rain, and 2 additional storm events per wet season (events separated by 7 days of dry weather), at the Calleguas Creek mass emission station (ME-CC).

(b) The implementation plan must be submitted to the Regional Water Board Executive Officer 30 days prior to TMDL compliance date.
   (1) After the Regional Water Board considers and approves the stakeholder submitted implementation plan for the Calleguas Creek, its Tributaries

and Mugu Lagoon - Toxicity, Chlorpyrifos and Diazinon TMDL, then the TMDL Implementation Plans' monitoring program may be substituted for the compliance monitoring stated herein. The Regional Water Board (or Regional Water Board Executive Officer, when duly delegated), consistent with 40 CFR 122.41, may approve changes to the Monitoring Program, after providing the opportunity for public comment.

4. **Watershed - Pollutant**
Calleguas Creek, its Tributaries and Mugu Lagoon - Organochlorine (OC) Pesticides, Polychlorinated Biphenyls (PCBs), and Siltation.

(a) Waste Load Implementation
The WLAs are expressed as numerical limits in-sediment for OC Pesticides, PCBs and Siltation within Calleguas Creek, its Tributaries and Mugu Lagoon's Watershed, established for its MS4 Permittees (Ventura County Watershed Protection District, County of Ventura, and the Cities of Camarillo, Moorpark, Simi Valley, and Thousand Oaks) are to be implemented through the following:

(1) Dry Weather - Upon adoption of the Order (**Xx xx, 200x**), the MS4 Permittees shall participate in the 2008 Southern California Bight Project (SCBP) to evaluate the distribution and fate of contaminated sediments. Also, the MS4 Permittees shall monitor a minimum of 2 dry weather flow events, 1 dry weather flow event prior to the onset of wet weather- October 1st (during the months of May - June); and monitor 1 dry weather flow event post wet weather- April 15th (during the months of August - September), for OC Pesticides and PCBs exceedences to the TMDL interim WLAs in-sediment at the base of the following Hydrologic Units:

Table 3

Hydrologic Unit	403.12	403.68	403.62	403.63	403.67
Subwatershed	Calleguas Creek	Revolon Slough	Arroyo Las Posas	Arroyo Simi	Conejo Creek

(2) Final WLAs - This portion of the TMDL must be achieved within 20 years from the effective date of the TMDL, which is beyond the term of this Order and therefore is not covered under this Order.

(3) Siltation Special Study - This portion of the TMDL is 8 years in duration, which is beyond the term of this Order and therefore is not covered under this Order.

(b) When The implementation plan must be submitted to the Regional Water Board Executive Officer 30 days prior to TMDL compliance date.
(1) After the Regional Water Board considers and approves the stakeholder submitted implementation plan for the Calleguas Creek, its Tributaries and Mugu Lagoon - Organochlorine (OC) Pesticides, Polychlorinated Biphenyls (PCBs), and Siltation TMDL, then the TMDL Implementation Plans' monitoring program may be substituted for the compliance monitoring stated herein. The Regional Water Board (or Regional Water Board Executive Officer, when duly delegated), consistent with 40 CFR 122.41, may approve changes to the Monitoring Program, after providing the opportunity for public comment.

SPECIAL STUDIES

E. Bioassessment Monitoring

The Principal Permittee shall perform Bioassessment monitoring to accomplish the following objectives:

- Detect biological responses to pollution.
- Detect biological trends in receiving waters.
- Assess the biological integrity of receiving waters.
- Assess river segments impaired to restore.
- Identify probable causes of impairment not detected by physical and chemical water quality measurements.

1. The Principal Permittee shall continue the following:
   (a) Coordinate with the Surface Water Ambient Monitoring Program (SWAMP) being implemented by the State Water Board;

   (b) Participate in the Southern California Coastal Water Research Project's (SCCWRP) Bioassessment Working Group to develop:
   (1) QA/ QC protocols.
   (2) Formalize a taxonomic workgroup for biological identification.
   (3) Create standard operation procedures (SOP) for field activities.

2. The SWAMP and SCCWRP's Bioassessment Work Group shall be coordinated with to identify the most appropriate locations for Bioassessment stations within Ventura County.

3. Bioassessment monitoring shall begin the first spring/ fall following adoption of the Order, (**Xx xx, 200x**).

4. Bioassessment monitoring shall occur for 1 year in 1 WMA and then rotate to another WMA for 1 year, among the following WMAs:

(a) Ventura River - ongoing.
(b) Santa Clara River - 2008.
(c) Calleguas Creek - 2009.

5. A minimum of 10 Bioassessment stations shall be monitored per WMA during the spring season of each year.

6. Beginning in 2010, the Principal Permittee shall satisfy the Bioassessment requirement by participating in the Southern California Regional Bioassessment Program directed by the SMC or alternate plan approved by the Regional Board, using both random and targeted sites.

7. The Principal Permittee in consultation with the SMC shall be lead for the Ventura River Watershed within the Southern California Regional Bioassessment Program, or alternate plan approved by the Regional Board. The Principal Permittee shall develop a Ventura River Watershed wide monitoring plan and submit it to the Executive Officer for approval, at least 6 months prior to the start of the Southern California Regional Bioassessment Program or alternate plan approved by the Regional Board.

8. The Principal Permittee shall use the California Stream Bioassessment Procedure (CSBP) Stream Habitat Characterization Form (revision date: April 25, 2005), or other method(s) approved by the Regional Board.

9. Samples shall be collected according to the CSBP for Measuring Basic Characterization of Stream Habitat and Sampling Benthic Macroinvertebvrates (revision date: May 5, 2005), or other method(s) approved by the Regional Board.

10. The Principal Permittee shall use the Bioassessment In Low Gradient Streams Quality Assurance Project Plan by the SCCWRP (August 2005), or other method(s) approved by the Regional Board.

11. The SOP developed by the Bioassessment Technical Subcommittee shall be used, when available. The SOP is to describe all procedures and responsible parties. It is to contain step-by-step field, laboratory and data entry procedures, as well as, related QA/ QCprocedures. There is to be specific information about the Bioassessment program relating to: assessment program description, its organization and the responsibilities of all its personnel; assessment project description and objectives; qualifications of all personnel; and the type of training each member has received. A copy of the SOP be used shall be available to the Regional Water Board Executive Officer upon request.

12. Field sampling shall conform to the SOP established for the Bioassessment Technical Subcommittee. Field crews shall be trained on aspects of the protocol

and appropriate safety issues. All field data and sample Chain of Custody (COC) forms must be examined for completion and gross errors by the field crews, the receiving laboratory, and the Principal Permittee. These forms shall be available to the Regional Water Board Executive Officer and the California Department of Fish and Game (DFG) upon request. Personnel from the Principal Permittee or an independent auditor that has been properly trained in CSBP methods should perform Field inspections. Visits should report on all aspects of the field procedure with corrective action occurring immediately.

13. A professional environmental laboratory shall perform all laboratory, quality assurance, and analytical procedures.

14. Taxonomic identification laboratories process the biological samples that usually consist of subsampling organisms, enumerating and identifying taxonomic groups and entering the information into an electronic format. There should be intra-laboratory QA/ QCresults for subsampling, taxonomic validation and corrective actions. Biological laboratories should also maintain reference collections, vouchered specimens (the Principal Permittee can request return of their sample voucher collections) and remnant collections. Biological laboratories shall participate in an inter-laboratory (external) taxonomic validation program at a recommended level of 10% as long as there are no substantial QA/ QCproblems. If there are substantial QA/ QCproblems, the level of external validation shall be increased to a level of 20% for 2 years. If there are no substantial QA/ QC problems within the 2 years, the level of external validation may be decreased to 10% upon approval from the Regional Board. External QA/ QC should be arranged through the California DFG's Aquatic Bioassessment Laboratory in Rancho Cordova.

15. The Southern California Benthic Index of Biological Integrity (SoCal B-IBI) shall be used to develop a score for assessed sites.

16. The Principal Permittee at end of every monitoring year shall evaluate the WMA to estimate the percentage of stream segments that are in "very good", "good", "fair", "poor" and "very poor" condition based on the SoCal B-IBI.

    (a) All stream segments within the WMAs that score "poor" or "very poor" are to have the stream segment(s) resampled the following year. If a "poor" or "very poor" is scored 2 years in a row in the same stream segment then the Permittees shall meet the following requirements:
        (1) Develop a Watershed Ecological Restoration Plans (ERP) as listed in Part 5 - Watershed Ecological Restoration Planning, which shall be submitted to the Regional Water Board Executive Officer.

17. The Principal Permittee shall continue to perform yearly Bioassessment monitoring as outlined above (Special Studies- section "E" Bioassessment Monitoring), for all stream segments within the WMA that have an ERP developed for them, until the Plan's project goals (e.g., measurement endpoints) are achieved.

    (a) All stream segments within the WMA that are being sampled under an ERP shall meet the following requirements:
        (1) The Permittees shall develop Annual Watershed Ecological Restoration Status Reports (ERSR) as listed in Part 5 - Watershed Ecological Restoration Planning, which shall be submitted to the Regional Water Board Executive Officer.

18. The following results and information shall be included in the Annual Storm Water Report:

    (a) All physical, chemical and biological data collected in the assessment.
    (b) Photographs and GPS locations of all stations.
    (c) Documentation of quality assurance and control procedures.
    (d) Analysis that shall include calculation of the metrics used in the CSBP.
    (e) Comparison of mean biological and physical/ habitat assessment metric values between stations and year-to-year trends.
    (f) Comparison of biological and physical/ habitat data to the SoCal IBI.
    (g) Electronic data formatted to the California DFG Aquatic Bioassessment Laboratory for inclusion in the Statewide Access Bioassessment Database.

F. Trash and Debris Study

The Principal Permittee shall perform the trash and debris study to accomplish the following objectives:

- Quantitatively assess the types and amount of trash and debris on the coastal areas and beaches within the County of Ventura.
- Identify areas impaired for trash and debris, and to develop control strategies.

1. The Principal Permittee and Permittees shall implement a trash and debris study for the following areas:
    (a) San Buenaventura Seaside Park Shoreline.
    (b) San Buenaventura Marina Park.
    (c) Ventura Keys.
    (d) Ventura Harbor/ Marina.
    (e) Channel Island Waterfront.
    (f) Channel Island Harbor.
    (g) Hollywood Beach (Hollywood-By-The-Sea & Hollywood Beach).
    (h) Silver Strand Beach.

(i) Port Hueneme Harbor/ Marina.
(j) Hueneme Beach Park.
(k) Ormond Wetland/ Lagoon/ Beach.

2. Trash and debris study shall be implemented in 2 segments:

(a) Coastal waters/ Inland waters -
(1) Ventura Keys.
(2) Ventura Harbor/Marina.
(3) Channel Island Waterfront.
(4) Channel Island Harbor.
(5) Port Hueneme Harbor/ Marina.

(b) Beaches -
(1) San Buenaventura Seaside Park Shoreline.
(2) San Buenaventura Marina Park.
(3) Hollywood Beach (Hollywood-By-The-Sea & Hollywood Beach).
(4) Silver Strand Beach.
(5) Hueneme Beach Park.
(6) Ormond Wetland/ Lagoon.

3. Coastal waters/ Inland waters shall quantify trash and debris types collected from its waters.

4. Beaches shall quantify trash and debris distribution and types by sampling stratified random sites.

5. Trash and debris from coastal waters inland waters and beaches shall be documented accordingly:

(a) Trash and debris is to be bagged according to location;

(b) Bagged trash and debris to be identified and quantified by:
(1) Sort debris into broad categories used by the Center for Marine Conservation during their Coastal Cleanup days (i.e., glass, metal, plastics, foamed plastics, rubber, paper, wood, cloth, etc.).
(2) The broad categories are to be recorded, enumerated and weighed.
(3) Each broad category of debris is to be further sorted into specific subcategories (e.g., cups, buoys, toys, fishing line, trash bags, etc.).
(4) The subcategories are to be recorded and enumerated.
(5) Within the subcategories brand names are to be recorded when possible, to estimate their percent of total and establish cross-brand trends.

6. Use of the sampling methodology described in *Composition and Distribution of Beach Debris in Orange County*[3] shall be followed. The sampling methodology can be modified when applicable (i.e., on rocks).

7. Trash and debris study shall begin no later than the second October following adoption of the Order, (**Xx xx, 200x**).

8. Trash and debris study Final Report shall be completed and submitted to the Regional Water Board Executive Officer no later than 18 months from the study's start date.

9. Trash and debris collected in the study shall be disposed of in compliance with applicable State, Federal, and Local regulations.

G. Pyrethroid Insecticides Study

The Principal Permittee shall perform a Pyrethroid Insecticides study to accomplish the following objectives:

- Evaluate whether creek/ river sediments are toxic to aquatic organisms.
- Evaluate whether pyrethroid insecticide concentrations are at or approaching levels known to be toxic to sediment-dwelling aquatic organisms.
- Prioritize drainage and sub-drainage areas where control measures need to be implemented if necessary.

1. The Permittees shall incorporate the Pyrethroid Insecticides monitoring within the Tributary Monitoring programs' schedule and sampling stations, as applicable.

2. The Principal Permittee shall monitor the Pyrethroid Insecticides stations according to the following:

   (a) Provisions enumerated in the Mass Emission sections' A.12 and A.15.

   (b) Provisions enumerated in the Tributary Monitoring sections' C.1, C.3(a), C.3(c), and C.4.

   (c) Establish 2 to 6 stations along the mainstream of each major WMA tributary.

   (d) Establish 2 to 3 stations along secondary tributaries (originate at the outfall of storm drains) entering each major tributary in a WMA.

[3] *Composition and Distribution of Beach Debris in Orange County, California;* Moore, S. L., Gregorio D., Carreon, M, Weisberg, S.B. and Leecaster, M.K; Marine Pollution Bulletin Vol. 42, No. 3, pp. 241-245 (2001).

(e) Approximately 3 L of sediment is to be collected at each station in a pre-cleaned glass jar by skimming the upper 1 cm of the sediment column with a steel scoop, and held on ice until return to the laboratory. Sediment shall be homogenized in the laboratory by hand mixing, then held at 4 °C (toxicity samples) or -20 °C (chemistry samples).

(f) All samples taken shall be analyzed for the following Pyrethroids:
(1) biefenthrin.
(2) cyfluthrin.
(3) cypermethrin.
(4) deltamethrin.
(5) esfenvalerate.
(6) lambda-cyhalothrin.
(7) permethrin.
(8) tralomethrin (if laboratory is capable of analyzing for it).

(g) Detection limits for all Pyrethroids shall be as close to 1ng/g (dry weight) as reasonably achievable.

(h) Each sediment sample is to measure the following:
(1) total organic carbon (OC).

4. All samples shall be tested for toxicity to 7 to 10 day old ***Hyalella azteca*** according to standard U.S. EPA testing methods.[4] Use of the approach described in *Aquatic Toxicity Due to Residential Use of Pyrethroid Insecticides*[5] for toxicity testing shall be used.

5. Analyses is preferred to be conducted at a laboratory that has performed sediment toxicity testing for Pyrethroid Insecticides;

6. Pyrethroid Insecticides study Final Report shall contain the following:

(a) Executive summary.
(b) Methods.
(c) Results.
(d) Discussion.
(e) Recommendations to mitigate Pyrethroids.

[4] *U.S. EPA. Methods for Measuring the Toxicity and Bioaccumulation of Sediment-Associated Contaminants with Freshwater Invertebrates*; EPA Publication 600/R-99/064; U.S. Environmental Protection Agency: Washington, DC, 2000; 192 pp.
[5] *Aquatic Toxicity Due to Residential Use of Pyrethroid Insecticides*; Weston, D.P.; Holmes, R.W.; You, J.; Lydy, M.J. Environ. Sci. Technol.; (Article); 2005; 39(24); 9780 pp.

7. If toxicity is attributed to Pyrethroids then consultation with staff at U.S. EPA, the California Department of Pesticide Regulations and the California Stormwater Quality Association's (CASQA) pesticides committee (UP3 Project web site), shall be required to obtain relevant information to use in developing the recommendations to mitigate Pyrethroids.

8. The Final Report shall be completed and submitted to the Executive Officer of the Regional Water Board no later than 8 months after completion of the study.

H. Hydromodification Control Study

The Principal Permittee shall conduct or participate in special studies to develop tools to predict and mitigate the adverse impacts of Hydromodification, and to comply with hydromodification control criteria. These are the following:

- Develop a mapping and classification system for streams based on their susceptibility to the effects of hydromodification.
- Establish protocols for ongoing monitoring to assess the effects of hydromodification.
- Develop dynamic models to assess the effects of hydromodification on stream condition.
- Develop a series of tools that managers can easily apply to make recommendations or set requirements relative to hydromodification for new development and redevelopment.

1. The Principal Permittee may satisfy this requirement by participating in the 'Development of Tools for Hydromodification Assessment and Management' Project undertaken by the SMC and coordinated by the SCCWRP.

2. The Principal Permittee shall continue to partner with the SMC and collect data or sponsor its collection for the Ventura County sites to reduce statistical uncertainty and/ or improve model predictability.

3. The Principal Permittee shall submit a letter to the Regional Water Board Executive Officer stating how they are satisfying this requirement, no later than 2 months after deciding to either conduct or participate in special studies.

I. Low Impact Development

The Principal Permittee shall conduct or participate in a special study to assess the effectiveness of low impact development techniques in semi-arid climate regimes such as in Southern California.

1. The Principal Permittee may satisfy this requirement by participating in the SMC project titled "Quantifying the Effectiveness of Site Design/ Low Impact Development Best Management Practice in Southern California".

2. The Principal Permittee shall submit a letter to the Regional Water Board Executive Officer stating how they are satisfying this requirement, no later than 2 months after deciding to either conduct or participate in special study.

J. Southern California Bight Project

The Principal Permittee and Permittees shall participate with other government organizations regulating discharges in southern California in the collaboration to conduct a regional monitoring survey (Southern California Bight Project (SCBP)) anticipated to be held in 2008. The survey's primary objective is to assess the spatial extent and magnitude of ecological disturbances on the mainland continental shelf of the SCB and to describe relative conditions among different regions of the SCBP.

The Principal Permittee shall participate on the Steering Committee for the bight-wide monitoring project, and complete the estuary and nearshore sampling effort requirement of the proposed monitoring project for Ventura County as defined in the SCBP plan. The Principal Permittee shall be responsible up to a dollar amount of $250,000 for monitoring in the SCBP.

K. Volunteer Monitoring Programs

The Principal Permittee and Permittees shall participate in the development and implementation of volunteer monitoring programs in the Ventura watersheds. These include, but are not limited to the following:
1. Ventura River - (Ventura Stream Team).
2. Santa Clara River - (Santa Clara River Stream Team).
3. Calleguas Creek - (Calleguas Creek Watershed Quality Monitoring Program).
4. Malibu Creek - (Malibu Creek Watershed Quality Monitoring Program).

L. Standard Monitoring Provisions

All monitoring activities shall meet the following requirements:

1. Monitoring and Records [40 CFR 122.41(j)(1)]

   (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. Monitoring and Records [40 CFR 122.41(j)(2)] [CWC §13383(a)]

   (a) The Principal Permittee and Permittees shall retain records of all monitoring information, including all calibration and maintenance of monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the Report of Waste Discharge (ROWD) and application for this Order, for a period of at least five (5) years from the date of the sample, measurement, report, or application. This period may be extended by request of the Regional Water Board or U.S. EPA at any time and shall be extended during the course of any unresolved litigation regarding this discharge.

3. Monitoring and Records [40 CFR 122.21(j)(3)]

   (a) Records of monitoring information shall include:
   (1) The date, time of sampling or measurements; exact place, weather conditions, and rain fall amount.
   (2) The individual(s) who performed the sampling or measurements.
   (3) The date(s) analyses were performed.
   (4) The individual(s) who performed the analyses.
   (5) The analytical techniques or methods used.
   (6) The results of such analyses.
   (7) The data sheets showing toxicity test results.

4. Monitoring and Records [40 CFR 122.21(j)(4)]

   (a) All sampling, sample preservation, and analyses must be conducted according to test procedures under 40 CFR Part 136, unless other test procedures have been specified in this Order. If a particular Minimum Level (ML) is not attainable in accordance with procedures set forth in 40 CFR 136, the lowest quantifiable concentration of the lowest calibration standard analyzed by a specific analytical procedure may be used instead.

5. Monitoring and Records [40 CFR 122.21(j)(5)]

   (a) The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Order shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or both.

6. All chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory:

   (a) Certified for such analyses by an appropriate governmental regulatory agency.

   (b) Which has participated in 'Intercalibration Studies' for storm water pollutant analysis conducted by the SMC [6].

7. For priority toxic pollutants that are identified in the CTR (65 *Fed. Reg.* 31682), the MLs published in Appendix 4 of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California* (SIP) shall be used for all analyses, unless otherwise specified. The MLs from the SIP are incorporated into Attachment "G".

8. The Monitoring Report shall specify the analytical method used, the Method Detection Level (MDL) and the ML for each pollutant. For the purpose of reporting compliance with numerical limitations, performance goals, and receiving water limitations, analytical data shall be reported with 1 of the following methods, as appropriate:

   (a) An actual numerical value for sample results greater than or equal to the ML.

   (b) "Not-detected (ND)" for sample results less than the laboratory's MDL with the MDL indicated for the analytical method used.

   (c) "Detected, but Not Quantified (DNQ)" if results are greater than or equal to the laboratory's MDL but less than the ML. The estimated chemical concentration of the sample shall also be reported. This is the concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

9. For priority toxic pollutants, if the Principal Permittee or Permittee can demonstrate that a particular ML is not attainable, in accordance with procedures set forth in 40 CFR 136, the lowest quantifiable concentration of the lowest calibration standard analyzed by a specific analytical procedure (assuming that all the method specified sample weights, volumes, and processing steps have been followed) may be used instead of the ML listed in Appendix 4 of the SIP. The Principal Permittee must submit documentation from the laboratory to the Regional Water Board Executive Officer for approval prior to raising the ML for any constituent.

[6] The 'Intercalibration Studies' are conducted periodically by the SMC to establish a consensus based approach for achieving minimal levels of comparability among different testing laboratories for storm water samples to minimize analytical procedure bias. Stormwater Monitoring Coalition Laboratory Document, Technical Report 420 (2004) and subsequent revisions and augmentations.

10. Monitoring Reports [40 CFR 122.41(I)(4)(ii)]

    (a) If the Principal Permittee monitors any pollutant more frequently than required by the Order using test procedures approved under 40 CFR part 136, unless otherwise specified in the Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Annual Monitoring Reports.

11. Monitoring Reports [40 CFR 122.41(I)(4)(iii)]

    (a) Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order.

12. If no flow occurred during the reporting period, the Monitoring Report shall so state.

13. The Regional Water Board Executive Officer or the Regional Board, consistent with 40 CFR 122.41, may approve changes to the Monitoring Program, after providing the opportunity for public comment, either:

    (a) By petition of the Principal Permittee or by petition of interested parties after submittal of the Monitoring Report. Such petition shall be filed not later than 60 days after the Monitoring Report submittal date, or

    (b) As deemed necessary by the Regional Water Board Executive Officer following notice to the Principal Permittee.

Ordered by:

Jonathan S. Bishop
Executive Officer
Date: **Xx xx, 200x**

STATE OF CALIFORNIA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

REPORTING PROGRAM - No. CI 7388
FOR
ORDER 07-xxxx
NPDES PERMIT NO. CAS004002
WASTE DISCHARGE REQUIREMENTS

MUNICIPAL SEPARATE STORM SEWER SYSTEM DISCHARGES WITHIN THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT, COUNTY OF VENTURA AND THE INCORPORATED CITIES THEREIN.

Xxxxx xx, 200x

December 27, 2006

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Reporting Program Requirements

The Principal Permittee shall submit by December 15th of each year beginning the year of 2007, an Annual Report to the Regional Water Board Executive Officer in the form of a one hard copy and three compact disks (CD) (or equivalent electronic format)

1. The Annual Report shall document the status of the General Storm Water Program, an integrated summary of the results of analyses from:
   (a) The monitoring program described under Part 1-Monitoring Report; and
   (b) The requirements described under Part 2- Program Report.

2. Plans shall be submitted to the Regional Water Board Executive Officer in the form of a hard copy and on a compact disk (CD), submit 1 hard copy and 3 CD copies.

3. Study Reports shall be submitted to the Regional Water Board Executive Officer in the form of a hard copy and on a CD, submit 1 hard copy and 3 CD copies.

4. Progress Reports shall be submitted to the Regional Water Board Executive Officer in the form of a hard copy and on a CD, submit 1 hard copy and 3 CD copies.

PART 1 - MONITORING REPORT

A. The following shall be included with the Annual Report:

1. Mass Emissions
   (a) Assess the variability of storm water constituents and provide an accurate estimate of mass emissions (pollutant correlation with TSS) from the results all monitored storms events.

   (b) Rain totals and hydrographs for monitoring events in both narrative and graphic formats shall be included with the Annual Report.

   (c) An annual analysis, of the correlation between pollutants of concern (POCs) (including, but not limited to metals and PAHs) and TSS loadings for the sampling events that are analyzed for the complete list of constituents in Attachment "G" (Storm Water Monitoring Program's Constituents with Associated Minimum Levels).

   (d) A summary of the years' mass emission station's monitoring results highlighting exceedences (POC) with corresponding sampling dates shall be included with the Annual Report.

2. Aquatic Toxicity Monitoring
   (a) An analysis of the mass emission samples and tributary samples for aquatic toxicity to evaluate the extent and causes of toxicity in receiving waters.

   (b) A report on the development, implementation, and results for each TRE Corrective Action Plan in the Annual Report, beginning the year following the identification of each pollutant or pollutant class causing toxicity.

   (c) Report on the development, implementation, and results for each TRE Corrective Action Plan, beginning the year following the identification of each pollutant or pollutant class causing toxicity.

   (d) All constituents (POCs) that caused toxicity or exceeded any applicable water quality objectives at the associated mass emission station the previous year shall be listed.

   (e) A summary of the years' mass emission station's monitoring results with corresponding sampling dates and ToxCalc output.

3. Tributary Monitoring
   (a) A summary of the years' tributary station's monitoring results with corresponding sampling dates and ToxCalc output (lab hard copy data).

   (b) All constituents that caused toxicity or exceeded any applicable water quality standards (POCs) at the associated mass emission station the previous year (the constituents- POCs shall be listed in the Annual Monitoring Report.

4. TMDL Compliance Monitoring
   (a) Field screening schedule, a summary of accomplished screening and result(s) (as available) for illicit connections in accordance with the following schedule:
      (1) All portions of the storm drain system consisting of storm drain pipes 12 inches in diameter of greater within 5 years after the adoption of this Order.
      (2) All portions of the storm drain system in subwatersheds with more than 5% of the area containing industrial sites 40 years or older within 5 years after the adoption of this Order.
      (3) All portions of the storm drain system in subwatersheds that had septic systems but have been connected to a sanitary system since January 1976 within 5 years after the adoption of this Order.
      (4) All portions of the storm drain system in subwatersheds with a density of more than 20 outfalls per channel mile within 5 years after the adoption of this Order.
      (5) All portions of the storm drain system in subwatersheds with a density of 10 or more hazardous waste generators and/ or 5 or more industrial

NPDES storm water sites per square mile within 5 years after the adoption of this Order.

(b) A summary of the years' monitoring results for each TMDL with corresponding sampling dates and ToxCalc output (if applicable).

5. Bioassessment Monitoring
   (a) The following sampling results and information shall be submitted:
      (1) All physical, chemical and biological data collected in the assessment;
      (2) Photographs and GPS locations of all stations;
      (3) Documentation of quality assurance and control procedures;
      (4) Analysis that shall include calculation of the metrics used in the CSBP;
      (5) Comparison of mean biological and physical/ habitat assessment metric values between stations and year-to-year trends;
      (6) Comparison of biological and physical/ habitat data to the SoCal IBI; and
      (7) Electronic data formatted to the California DFG Aquatic Bioassessment Laboratory for inclusion in the Statewide Access Bioassessment Database.

B. The following shall be submitted to the Regional Water Board Executive Officer:

1. Aquatic Toxicity Monitoring
   (a) A TRE Corrective Action Plan within 30 days after the source of toxicity and appropriate BMPs are identified.

2. Tributary Monitoring
   (a) A watershed-based tributary monitoring program no later than (6 months after adoption of this Order). The tributary monitoring program shall include the following:
      (1) A description of the program, map and coordinates of the location for each of the proposed monitoring stations.
      (2) Monitoring dates (years) for all stations.

   (b) Request to rotate monitoring stations after current monitoring at each station is completed within a Watershed Management Area for the tributary monitoring program.

   (c) A corrective action plan to assess and identify the source(s) of pollutant(s) that caused exceedences of applicable water quality standards shall within that subwatershed shall be submitted within 90 days after the exceedence. The assessment shall be conducted consistent with the guidelines described in the Model MS4 Monitoring Program for assessment of urban runoff contribution.

3. TMDL Compliance Monitoring
   (a) A report identifying the Southern California Municipal Storm Water Monitoring Coalition's (SMC) standardized toxicity testing protocol and compliance criteria, for consideration and approval.

4. Bioassessment Monitoring
   (a) A Ventura River Watershed wide monitoring plan at least 6 months prior to the start of the Southern California Regional Bioassessment Program or alternate plan approved by the Regional Water Board;

   (b) A Watershed Ecological Restoration Plan(s) (EPR) for stream segments if that have scored 2 years in a row a "poor" or "very poor";

   (c) Yearly Watershed Ecological Restoration Status Reports for all stream segments within the Watershed Management Areas (WMAs) that are being sampled under an EPR.

5. Trash and Debris Study
   (a) A trash and debris study final report, no later than 18 months from the study's start date.

6. Pyrethroid Insecticides Study
   (a) Pyrethroid insecticides study final report, no later than 8 months after completion of the study.

7. Hydromodification Control Study
   (a) Letter stating how the Principal Permittee is satisfying this requirement, no later than 2 months after deciding to either conduct or participate in special studies.

8. Low Impact Development
   (a) Letter stating how the Principal Permittee is satisfying this requirement, no later than 2 months after deciding to either conduct or participate in special study.

9. Non-Compliance
   (a) When monitoring can not be performed to comply with the requirements of this Order due to circumstances beyond the Permittees control, then within 48 hours the following shall be submitted:
      (1) Statement of situation.
      (2) Explanation of circumstance(s) with documentation.
      (3) Statement of corrective action for the future.

C. The following shall be submitted to the Regional Water Board's Storm Water E-mail Address: **MS4stormwaterrb4@waterboards.ca.gov**. Data transmitted shall be in the SMCs Standardized Data Transfer Formats (SDTFs) and all updates are to be adhered to.[1]

1. Mass Emissions
   (a) Monitoring results no later than 45 days from sample collection date.

2. Aquatic Toxicity Monitoring
   (a) Monitoring results no later than 45 days from sample collection date.

3. Tributary Monitoring
   (a) Monitoring results no later than 45 days from sample collection date.

4. TMDL Compliance Monitoring
   (a) Monitoring results no later than 45 days from sample collection date.

5. Non-Compliance
   (a) When the Order 's monitoring requirements can not be performed due to circumstances beyond the Permittees control, then within 48 hours the following shall be submitted to the Regional Water Board Executive Officer:
      (1) Statement of situation.
      (2) Explanation of circumstance(s) with documentation.
      (3) Statement of corrective action for the future.

PART 2 - PROGRAM REPORT

On an annual basis the Permittees shall complete an Annual Monitoring Program Report that responds adequately to the evaluative questions below which correspond to the Order.

DISCHARGE PROHIBITIONS

(a) Have you effectively prohibited all non-storm discharges into the MS4 and watercourses?

(b) If there are any exceptions in the municipal code, list the exceptions to the municipal code. In other words, which non-storm water discharges does your municipality allow? Under what conditions are they allowed (with BMPs)? List which BMPs are required prior to discharge.

[1] The SMC developed a SDTFs for use by member agencies for electronic recording and transfer of storm water monitoring data. Southern California Coastal Water Research Project, Technical Report 421 (August, 2004).

(c) Do you have a procedure to assure that any project within your jurisdiction which may undertake ground water dewatering obtain a permit from the Regional Water Board?

(d) How many projects are permitted to dewater in your jurisdiction?

(e) How many are permanent dewatering to continue after construction is completed?

(f) Do you have a permitting/ permission system for the discharge of dechlorinated/ debrominated swimming pool discharges? Explain it.

(g) If yes, how many swimming pools are drained with the agency's permit/ permission?

(h) How do you ensure that discharge limits for chlorine, bromine, etc are not exceeded?

(i) Do you allow the discharge of "salt water" swimming pool discharges? If yes

(j) Do you have a permitting/ permission system for the discharge of "salt water" swimming pool discharges? Explain it.

RECEIVING WATER LIMITATIONS

1. At any time, has the discharge from the MS4 caused or contributed to the violation of water quality objectives or water quality standards?

2. At any time, has the discharge from the MS4 for which a Permittee is at least partially responsible, caused or contributed to a condition of nuisance?

3. At any time, has the discharge of pollutant(s) from the MS4 exceeded the MS4 Waste Load Allocation(s) for Wet Weather Discharges?

4. For pollutant(s) which continue to cause or contribute to water quality impairments, but for which TMDLs have not yet been developed or approved, what has the Permittee implemented to eliminate future water quality impairments?

STORM WATER QUALITY MANAGEMENT PROGRAM IMPLEMENTATION

A. General Requirements

B. Legal Authority

1. Does your municipal agency possess all the necessary legal authority to implement and enforce each requirement of this Order?
2. If the answer is no, explain why not.
3. By what date certain will the municipal agency have all the necessary legal authority?
4. Attach a copy of the new or updated statement by its legal counsel that the Permittee has obtained all necessary legal authority to comply with this Order through adoption of ordinances and/ or municipal code modifications.
5. After submitting the Statement from your legal counsel, was your city's municipal code (or other legal authority) changed (Any section that applies to or affects storm water permitting or requirements)? On what date(s) was it changed? Provide the changes.

C. Fiscal Resources

1. Provide a detailed Annual Budget Summary of the Permittee's allocation of funds expended to implement the activities required to comply with the conditions of this Order.
2. Indicate the source(s) of funding (whether general funds; and/ or Benefit Assessment Program funds; plan review fees; permit fees; industrial/ commercial user fee; revenue bonds; grants; or other funding mechanism. Each Permittee's Annual Budget Summary shall separately include:
3. Annual Budget Summary of expenditures applied to the storm water management program and also identify the storm water budget for the following year, using estimated percentages and written explanations where necessary, for the specific categories noted below:

   (a) Program Overall Management Activities;
      (1) Administrative costs

   (b) Program Required Activities Implementation;
   Provide an estimated percent breakdown of expenditures for the categories below:
      (1) Illicit connection/ illicit discharge
      (2) Development planning
      (3) Development construction
      (4) Construction inspection activities
      (5) Industrial/ Commercial inspection activities
      (6) Public Agency Activities
      (7) Maintenance of Structural BMPs and Treatment Control BMPs
         (A) Municipal Street Sweeping for Commercial/ Industrial landuse only;
         (B) Catch basin clean-outs (including dumping fees);
         (C) Storm drain clean-outs (including dumping fees); and
         (D) Other costs (describe).

(8) Public Information and Participation;
(9) Monitoring Program; and
(10) Miscellaneous Expenditures (describe).

D. Designation and Responsibilities of the Principal Permittee

The Principal Permittee shall submit within the Annual Program Report information on the implementation of the following:

1. Coordination and facilitation of activities to comply with the requirements of this Order;
2. Evaluation, assessment, and summary of the results of the monitoring program and the effectiveness of the implementation of BMPs and any recommended change.

E. Responsibilities of the Permittees

Each Permittee shall include within the Annual Program Report information on the implementation of the following:

1. A statement under penalty of perjury that the Permittee is or is not in compliance with the requirements of this Order and any subsequent modifications thereto;

2. A summary of how coordination occurs among its internal departments and agencies to ensure the implementation of the requirements of this Order;
3. Description of the intra-agency coordination by Agency departments (e.g. Community Development (Planning), Public Works, Sanitation, Engineering, Fire Department, Building and Safety, Code Enforcement, Public Health, Water and/ or Power Department, etc.) to ensure the successful implementation of the provisions of this Order;
4. In addition to the Budget Summary, identify any supplemental dedicated budgets for the storm water categories listed.
5. Identify the staff which participated at all committee or subcommittee meetings and when.

PART 4 - SPECIAL PROVISIONS

A. General Requirements

1. Best Management Practice Substitution
   (a) Did the Regional Water Board Executive Officer approve any site-specific BMP substitution for your agency?
   (b) If so, describe implementation of that/ those BMP(s).

B. Watershed Initiative Participation

1. Describe your participation (Principal Permittee) in appropriate water quality meetings for watershed management planning. Include the following:
   (a) Calleguas Creek Watershed Management Plan;
   (b) Regional Monitoring Program;
   (c) Santa Clara River Enhancement and Management Plan;
   (d) Steelhead Restoration and Recovery Plan; and
   (e) Southern California Stormwater Monitoring Coalition (SMC).

C. Public Information and Participation Program (PIPP)

1. Describe the Permittee successes in:

- Measurably increasing the knowledge of the target audiences regarding the MS4, the impacts of storm water pollution on receiving waters and potential solutions to mitigate the problems caused;
- Measurably changing the waste disposal and runoff pollution generation behavior of target audiences by encouraging implementation of appropriate solutions;
- Involving and engaging communities in Ventura County to participate in mitigating the impacts of storm water pollution.

2. Residential Program
   (a) Did the Permittee label each storm drain inlet that they own with a legible "no dumping" message.
   (b) How many inlets were labeled this year?
   (c) How many inlets were labeled cumulatively?
   (d) Did the Permittee install signs with prohibitive language discouraging illegal dumping at designated public access points to creeks, other relevant water bodies, and channels?
   (e) How many?

   <u>Public Reporting</u>
   (a) Identify the staff person(s) who will serve as the contact person(s) for reporting clogged catch basin inlets and illicit discharges/ dumping, faded or lack of catch basin stencils, and general storm water management information.

   (b) Did the Permittee update this information by July 1 of this year?

   (c) The Principal Permittee shall compile a list of the general public reporting contacts from all Permittees and make this information available on the web site (http://www.vcstormwater.org/contact.htm) and upon request.

Outreach and Education

(1) Provide documentation to show that the Permittees implemented the following activities:
- Storm Water pollution prevention advertising campaign.
- Storm Water pollution prevention public service announcements.
- Distribution of storm water pollution prevention public education materials to auto parts stores, home improvement centers and pet shops/ feed stores in regards to information on the proper storage and disposal of household waste materials, construction waste materials and vehicle waste fluids, the proper use of fertilizers and pesticides and the proper disposal of animal wastes.
- Organization of watershed Citizen Advisory Groups/ Committees to develop/ implement effective methods to educate the public about storm water pollution.
- Organization of events for residents and population subgroups.
- Maintenance of the Countywide storm water website (www.vcstormwater.org), including educational materials.

(2) Provide documentation to show that the Principal Permittee implemented the strategy to educate ethnic communities through culturally acceptable and effective methods.

(3) Did each Permittee implement outreach efforts to residents and school children related to the proper disposal of litter, green waste, pet waste, proper vehicle maintenance, lawn care and water conservation practices?

(4) Did the Permittees make demonstrable positive effects on the general public related to storm water quality?

(5) On 4 above, explain how so.

(6) Did the Principal Permittee, in cooperation with the Permittees, provide schools within each School District in the County with materials, including, but not limited to, videos, live presentations, and other information necessary to educate a minimum of 50 percent of all school children (K-12) every 2 years on storm water pollution?

(8) Provide the contact information for their appropriate staff responsible for storm water public education activities to the Principal Permittee and changes to contact information no later than 30 days after a change occurs.

(9) Provide the assessment of the strategy to measure the effectiveness of in-school educational programs.

Businesses Program

(a) Corporate Outreach

(b) Provide a progress update on the Corporate Outreach program.

C. Industrial/ Commercial Facilities Program

Each Permittee shall require implementation of pollutant reduction and control measures at industrial and commercial facilities, with the objective of reducing pollutants in storm water runoff. Except as specified in other sections of this Order, pollutant reduction and control measures may be used alone or in combination, and may include Structural Treatment Control, Source Control BMPs, and operation and maintenance procedures, which may be applied before, during, and/ or after pollution generating activities. At a minimum, the Industrial/ Commercial Facilities Control Program Report shall include requirements to: (1) track, (2) inspect, and (3) ensure compliance with municipal ordinances at industrial and commercial facilities that are critical sources of pollutants in storm water runoff.

1. Inventory of Critical Sources

   (a) Describe how the critical sources are inventoried. (whether via a watershed-based inventory or database or GIS. Provide a sample.

   (b) Each Permittee shall include the following minimum fields of information for each critical sources industrial and commercial facility.
      (1) Name of facility and owner/ operator.
      (2) Address of facility.
      (3) Coverage under the ISWGP or other individual or general NPDES permits or any applicable waiver issued by the Regional or State Board pertaining to runoff discharges.
      (4) A narrative description including SIC (NAICS) codes that best describe the industrial activities performed and principal products used at each facility and status of exposure to storm water.

   (c) Did each Permittee update its inventory of critical sources annually?

   (d) Critical Source Inventory Database

   Did you (individually or jointly) update the Database for Critical Sources Inventory? Yes ☐

   No ☐

   Comments/ Explanation/ Conclusion:

2. Inspection Program
   (a) The Permittee shall verify the following for each inspection:
      (1) The facility has a current Waste Discharge Identification (WDID) number or a current No Exposure Certification for discharging storm water associated with industrial activity?
      (2) A Storm Water Pollution Prevention Plan available on-site?
      (3) The facility is effectively implementing BMPs in compliance with County and municipal ordinances including the source control BMPs outlined in Part 4.D. of this Order
      (4) The facility needs to implement additional treatment control BMPs where the storm water from the MS4 discharges to a CWA §303(d) listed water body?

Provide the reporting data as suggested in the following table.

Category	Initial Number of Facilities at the start of cycle proposed for inspection by categories (after the initial year, the updated number based on the new data)	Number of facilities inspected in the current reporting year	% Completed at the time of this report for present cycle (from the initial value, and from the updated value after first cycle)	Total number since permit adoption
Landfills				
TSDF				
Comments/ Explanation/ Conclusion:				

- Did each Permittee perform an initial inspection at all facilities in the categories listed no later than (two years after the adoption of the Order)?

- All facilities determined as having exposure of industrial activities to storm water are subject to a second compliance inspection. Were all inspections completed?

- Was there a minimum interval of six months between the first and the second compliance inspection per site as required?

BMPs Implementation

Provide the reporting data as suggested in the following table.

Category	Number of facilities inspected by category this reporting year	Number of facilities identified as adequately implementing BMPs as specified in this reporting year	Percent adequately implementing out of total in this reporting year	Number of facilities required to implement or upgrade in this reporting year	Number of facilities inspected by category in this reporting cycle	Number of facilities identified as adequately implementing BMPs as specified in this reporting cycle	Percent adequately implementing out of total in this reporting cycle	Number of facilities required to implement or upgrade in this reporting cycle	Total Number during this permit adequately implementing	Total Number during this permit required to implement or upgrade
Landfills										
etc…										

Comments/ Explanation/ Conclusion:

Enforcement Activities

Provide the reporting data as suggested in the following tables.

Enforcement Actions by categories (e.g. Warning letter, NOV, referral to D.A., etc.)	Number of facilities issued enforcement actions in the current reporting year	Number of facilities issued enforcement actions in the current reporting cycle	Number of facilities (re)inspected due to enforcement actions in current reporting year	Number of facilities (re)inspected due to enforcement actions in current reporting cycle	Number of facilities brought into compliance in the current reporting year	Number of facilities brought into compliance in current reporting cycle	Total number of enforcement actions since permit adoption (by category)
NOVs							
Etc…							

Facilities by category	Number of Warning letters	Number of NOVs	Number of Referrals	Number of Other(Explain)
Landfill				
Etc…				

Comments/ Explanation/ Conclusion:	

Nurseries and nursery centers

(a) At nurseries subject to the agricultural waiver issued by the Regional Water Board, provide a spreadsheet with the following information:
- How many operators have enrolled under the waiver?
- What is their identification number?
- How many nonfilers did you notify to apply under the agricultural waiver?

(b) Did you submit electronically semiannually to the Regional Water Board a list with the names of facilities notified to apply for the waiver?

Ensuring Compliance of Critical Sources

(a) On how many sites did you determine that a BMP is infeasible, and require implementation of other BMPs that will achieve the equivalent reduction of pollutants in the storm water discharges?

(b) For critical sources that discharge to ESAs or that are tributary to CWA § 303(d) impaired water bodies, does the Permittee require operators to implement additional controls to reduce pollutants in storm water runoff that are causing or contributing to exceedences of Water Quality Standards?

Investigation of Complaints Regarding Facilities – Transmitted by the RB Staff

(a) How many investigations were conducted as a result of USEPA or Regional Water Board staff referrals of violators to the Permittee?

(b) Was the investigation initiated within one business day of being contacted?

(c) What were the results of each investigation?

D. Planning and Land Development Program

Low Impact Development

(a) Did all new development and redevelopment projects integrate Low Impact Development (LID) principles into project design?
(b) How many did?
(c) How many did not?
(d) If not, Why not?

E. Numeric Hydromodification Mitigation Criteria

1. Hydrologic (Flow/ Volume/ Duration) Control

(a) Did the Permittees require all new developments and redevelopment projects to implement hydrologic control measures, to prevent accelerated downstream erosion and to protect stream habitat in natural drainage systems?

(b) How many did?
(c) How many did not?
(d) Why not?

2. Post Construction Storm Water BMP Program

(a) For each project, did each Permittee require that during the construction of a single-family hillside home, actions be taken to:
    (1) Conserve natural areas?
    (2) Protect slopes and channels?
    (3) Provide storm drain system stenciling and signage?
    (4) Divert roof runoff to vegetated areas before discharge unless the diversion would result in slope instability? and
    (5) Direct surface flow to vegetated areas before discharge unless the diversion would result in slope instability?
(b) Did each Permittee require that all development projects equal to 1 acre or greater be subject to conditioning and approval of post-construction BMPs as approved by the Regional Water Board in Board Resolution No. R 00-02?
(c) Did each Permittee require that the following development projects be subject to conditioning and approval of post-construction BMPs?
    (1) Retail gasoline outlets 5,000 square feet or more of surface area; How many sites?
    (2) Restaurants (SIC 5812) 5,000 square feet or more of surface area; How many sites?
    (3) Parking lots 5,000 square feet or more of surface area or with 25 or more parking spaces; How many sites?
    (4) Automotive service facilities (SIC 5013,5014,5541,7532-7534 and 7536-7539) [5,000 square feet or more of surface area]; How many sites? and
    (5) Redevelopment projects in subject categories that meet Redevelopment thresholds. How many sites?
(d) Did each Permittee require that post construction BMPs be subject to conditioning and approval for development projects located in or directly adjacent to or discharging directly to an Environmentally Sensitive Area (ESA), where the development will:
    (1) Discharge storm water and urban runoff that is likely to impact a sensitive biological species or habitat.
    (2) Create 2,500 square feet or more of impervious surface area.

3. Numeric Water Quality Design Criteria

Projects disturbing land areas less than 50 acres

(a) Ho many did the Permittee require that post-construction Treatment Control BMPs incorporate, at a minimum, a volumetric and/ or hydrologic (flow based) treatment control design standard, as identified below to mitigate (infiltrate, filter or treat) storm water runoff as specified below?
(b) How many sites were exempted from the requirement?
(c) Why were they exempted?

Projects disturbing land area of 50 acres or greater

For sites 50 acres or greater how many did the Permittee require that post-construction Treatment Control BMPs be,

(a) Designed using an appropriate public domain hydrodynamic model (such as Storm Water Management Model (SWMM) 5 or Hydrologic Engineering Center – Hydrologic Simulation Program – Fortran (HEC-HSPF); and incorporate
(b) Rainfall intensity based on hourly rainfall records;
(c) An adjustment factor for within hour rainfall variability; and
(d) Hydraulics of BMP Performance.
(e) How many projects did this apply to?
(f) Were there any sites that were exempted from the requirement?
(g) How many sites were exempted?
(h) Why were they exempted?

4. Applicability of Numerical Criteria

Did the Permittee require all projects equal to 1 acre or greater and the following additional projects to design and implement post-construction treatment controls to mitigate storm water pollution for the following?:
(a) Automotive service facilities (SIC 5013, 5014, 5541, 7532-7534 and 7536-7539) [5,000 square feet or more of surface area].
(b) Retail gasoline outlets [5,000 square feet or more of impervious surface area and with projected Average Daily Traffic (ADT) of 100 or more vehicles]. Subsurface Treatment Control BMPs which may endanger public safety (i.e., create an explosive environment) are considered not appropriate.
(c) Restaurants (SIC 5812) [5,000 square feet or more of surface area].
(d) Parking lots 5,000 square feet or more of surface area or with 25 or more parking spaces.
(e) Projects located in, adjacent to or discharging directly to an ESA that meet threshold conditions identified above in 2(d).

(f) Redevelopment projects in subject categories that meet Redevelopment thresholds.
(g) How many projects did this apply to?
(h) Were there any sites that were exempted from the requirement?
(i) How many sites were exempted?
(j) Why were they exempted?

5. Site Specific Mitigation
   (a) List how many sites did each Permittee require the implementation of a site-specific plan to mitigate post-development storm water for new development and redevelopment not identified in Section XX but which may potentially have adverse impacts on post-development storm water quality, with one or more of the following project characteristics:

      (1) Vehicle or equipment fueling areas. How many?
      (2) Vehicle or equipment maintenance areas, including washing
      (3) and repair. How many?
      (4) Commercial or industrial waste handling or storage. How many?
      (5) Outdoor handling or storage of hazardous materials. How many?
      (6) Outdoor manufacturing areas. How many?
      (7) Outdoor food handling or processing. How many?
      (8) Outdoor animal care, confinement, or slaughter. How many?
      (9) Outdoor horticulture activities. How many?

   (b) Were there any sites that were exempted from the requirement?
   (c) How many sites were exempted?
   (d) Why were they exempted?

6. Redevelopment Projects
   (a) Did the Permittees apply the post construction BMP requirements, or site specific requirements including post-construction storm water mitigation to all projects that undergo significant Redevelopment in their respective categories?
   (b) How many?
   (c) Were there any sites that were exempted from the requirement?
   (d) How many sites were exempted?
   (e) Why were they exempted?

7. Maintenance Agreement and Transfer
   (a) How many developments subject to post construction BMP requirements and site specific plan requirements actually provided verification of maintenance provisions for Structural and Treatment Control BMPs, including but not limited to legal agreements, covenants, CEQA mitigation requirements, and or conditional use permits?
   (b) How many of each verification were received?

(c) The developer's signed statement accepting responsibility for maintenance until the responsibility is legally transferred?
(d) A signed statement from the public entity assuming responsibility for Structural or Treatment Control BMP maintenance and that it meets all local agency design standards?
(e) Written conditions in the sales or lease agreement, which requires the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year?
(f) Written text in project conditions, covenants and restrictions (CCRs) for residential properties assigning maintenance responsibilities to the Home Owners Association for maintenance of the Structural and Treatment Control BMPs?
(g) Written conditions in the sales or lease agreement, which requires the recipient to assume responsibility for maintenance and conduct a maintenance inspection at least once a year?
(h) Another type of legally enforceable agreement that assigns responsibility for the maintenance of post-construction Structural or Treatment Control BMPs?

8. Development Planning Coordination and Enforcement
(a) Did you inspect each new development and redevelopment project for post construction controls prior to approving and signing off for occupancy?
(b) How many?
(c) Were there any sites that were exempted from the requirement?
(d) How many sites were exempted?
(e) Why were they exempted?

9. Regional Storm Water Mitigation Program
(a) Have you applied to the Regional Water Board for approval of a regional or sub-regional storm water mitigation program to substitute in part or wholly for on-site post-construction requirements?

10. <u>Inspection and Tracking System for Post Construction Treatment BMPs</u>
(a) Did you implement the required Geographic Information System (GIS) or other electronic system for tracking projects conditioned for post construction treatment control BMPs?
(b) Does include the following information? (<u>Answer each separately)</u>
(1) Municipal Project ID?
(2) State WDID No.?
(3) Project Acreage?
(4) BMP Type and Description?
(5) BMP Location (GPS coordinates)?
(6) Date of Acceptance?
(7) Date of O&M Certification?
(8) Maintenance Records
(9) Inspection Date and Summary?

(10) Corrective Action?
(11) Replacement or Repair Dates?

(c) Did you inspect all facilities to verify proper maintenance and operation of Treatment BMPs previously approved?
(d) Did you accomplish the following?
(e) BMP acceptance inspection to ensure proper installation?
(1) Inspection once every two years of high priority post-construction BMPs to ensure treatment effectiveness, hydraulic function, and vector risk minimization?

11. Developer Technical Guidance and Information
(a) List dates as to when the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures was last updated to include the following:
(1) Hydrologic (Peak Flow) Control criteria for volume control described herein and the interim criteria based on hydrograph matching?
(2) Expected BMP pollutant removal performance including consistent effluent quality and removal efficiency ranges (International BMP Database, technical reports and the scientific literature?
(3) Improved Correlation of BMPs with storm water POC?
(4) Data on Observed Local Effectiveness and performance of implemented BMPs?
(5) BMP Maintenance and Cost considerations?
(6) Criteria to facilitate integrated water resources planning and management in the selection of BMPs, including water conservation, groundwater recharge, public recreation, multipurpose parks, open space preservation, and redevelopment retrofits?

12. Project Review and Inter Department Coordination
(a) Did you ensure that a detailed BMP review was performed including BMP sizing calculations, BMP pollutant removal appropriateness, for each plan submitted with a signed certification?
(b) How many?
(c) Were there any sites that were exempted from the requirement?
(d) How many sites were exempted?
(e) Why were they exempted?
(f) Did you ensure that a clear structure for communication and delineated authority are established between and among municipal departments which have jurisdiction over project review, plan approval, project construction, and site maintenance?
(g) Explain how?

13. California Environmental Quality Act (CEQA) Document Update

    Did you incorporate into the CEQA process procedures for considering potential storm water quality impacts and providing for appropriate mitigation when preparing and reviewing CEQA documents? (Answer each below separately.)
    (a) Potential impact of project construction on storm water runoff?
    (b) Potential impact of project post-construction activity on Storm Water runoff?
    (c) Potential for discharge of storm water from areas from material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?
    (d) Potential for discharge of storm water to impair the beneficial uses of the receiving waters or areas that provide water quality benefit?
    (e) Potential for the discharge of storm water to cause significant harm on the biological integrity of the waterways and water bodies?
    (f) Potential for significant changes in the flow velocity or volume of Storm Water runoff that can cause environmental harm?
    (g) Potential for significant increases in erosion of the project site or surrounding areas?

15. General Plan Update
    (a) Was your General Plan amended, revised or updated to include watershed and storm water quality and quantity management considerations and policies when any of the following General Plan elements are updated or amended? (Answer each separately)
        (1) Land Use?
        (2) Housing?
        (3) Conservation?
        (4) Open Space?

    (b) Did you provide the Regional Water Board with the draft amendment or revision when a listed General Plan element or the General Plan was noticed for comment in accordance with Cal. Govt. Code § 65350 *et seq*?
    (c) When?

E. Development Construction Program

1. Did you implement a program to control runoff from construction activity at all construction sites within your jurisdiction to ensure that the following requirements are effectively implemented? (Answer each separately)
    (a) For construction projects within or adjacent to an environmentally sensitive area (ESAs), did you prohibit grading between October 1 and April 15?
    (b) For construction projects, which include grading on slopes greater than 5:1, that no grading shall occur between October 1 and April 15?

(c) All construction projects, which directly discharge into a sedimentation/ siltation impaired water body and is listed on the CWA §303 (d) list. No grading shall be occurring between October 1 and April 15?
(d) If grading operations were not completed before the rainy season began, was grading halted and erosion control measures put in place to minimize erosion until grading resumes after April 15?

2. Did you require construction site operators to seek separate coverage from the Regional Water Board wherever ground water dewatering may be necessary, is anticipated, or likely?
   (a) Small Construction Sites
      (1) For each construction site did you require and inspect to ensure that at each construction site, the minimum set of BMPs were implemented to minimize erosion and sediment loss, and prevent pollution from construction waste?

3. For each construction site 1 acre and greater:
   (a) Did you review and approve a Local Storm Water Pollution Prevention Plan (Local SWPPP), for approval prior to issuance of a grading permit for construction projects?
   (b) Did you inspect all construction sites for storm water quality requirements during routine inspections a minimum of once during the wet season?
   (c) Was the Local SWPPP reviewed for compliance with local codes, ordinances, and permits?
   (d) For inspected sites that have not adequately implemented their Local SWPPP, a follow-up inspection to ensure compliance shall take place within 2 weeks?
   (e) If compliance had not been attained, did the Permittee take additional actions to achieve compliance (as specified in municipal codes)?
   (f) How many?
   (g) For small construction sites one acre and greater (or part of a larger plan of development or sale), did you require, prior to issuing any grading permit, demolition permit, building permit, or construction permit [or any other municipal authorization to move soil and/ or construct or destruct that involves soil disturbance], for all projects requiring coverage under the state general permit, proof of a Waste Discharger Identification (WDID) Number for filing a Notice of Intent (NOI) for coverage under the CASGP and a certification that a SWPPP has been prepared by the project developer?
   (h) Does your agency accept a Local SWPPP as a substitute for the State SWPPP?
   (i) Is the Local SWPPP at least as inclusive in controls and BMPs as the State SWPPP?
   (j) Do you require proof of an NOI and a copy of the SWPPP at any time a transfer of ownership takes place for the entire development or portions of the common plan of development where construction activities are still on-going?
   (k) What system do you use to track grading permits issued by your agency?

4. Linear Construction
   (a) Do require for any linear construction project or projects (cumulatively) that will cause one acre or more of soil disturbance but not more than 5 acres that coverage be obtained under the Small Linear Underground/ Overhead Construction Projects General Permit?
   (b) Do you require proof of a Waste Discharger Identification Number (WDID) for filing a Notice of Intent (NOI) for coverage under the and a certification that a SWPPP has been prepared by the project developer, prior to issuing a grading permit, demolition permit building permit, or construction permit (or other authorization to move soil and/ or construct or destruct that involves soil disturbance)?

5. CASGP Violation Referrals
   (a) Did you make any referral of violations of the new development and redevelopment post construction requirements and municipal storm water ordinances to the Regional Water Board?
   (b) Did you make any referral for suspected violations of the CASGP or Linear Permit coverage requirements

F. Public Agency Activities Program

1. Sewage System Maintenance, Overflow, and Spill Prevention
   (a) Did you implement a response plan for overflows of the sanitary sewer system within their respective jurisdiction that clearly identifies agencies responsible and telephone numbers and email for any contact?
   (b) How many overflows did you have?
   (c) How many did you respond to?
   (d) Do you own and/ or operate a sanitary sewer system?

   (e) If so, did you also Identify, repair, and remediate sanitary sewer blockages, exfiltration, overflow, and wet weather overflows from sanitary sewers to the MS4?
   (f) Did you implement procedures and maintenance schedules to prevent sewage spills or leaks from sewage facilities from entering the MS4?
   (g) If you are a Permittee with septic systems in your jurisdiction, how many do you have?
   (h) Did you implement the following for flows of septic leachate to surface waters within their respective jurisdiction, which shall consist at a minimum of the following:
      (1) Investigation of any complaints received?
      (2) Immediately respond to overflows for containment, upon notification?
      (3) Notification to appropriate agencies and public health agencies when a septic system fails and flows to the MS4?

2. Public Construction Activities Management
   (a) Did you comply with all the Development Planning Program requirements in at public construction projects?
   (b) Did you comply with all the Development Construction Program requirements at Permittee owned or operated construction sites?
   (c) Did you obtain coverage under the CSWGP for all construction activities for (non linear) capital improvement project(s), or contracts, that individually or cumulatively equals or surpass the 1 acre land disturbance threshold?
   (d) Did you obtain coverage under the Statewide General Permit for Storm water Discharges Associated with Construction Activity from Small Linear Underground/ Overhead Projects (Small LUP General Permit) for Small Linear Underground/ Overhead Projects disturbing at least 1 acre, but less than 5 acres (including trenching and staging areas)?

3. Vehicle Maintenance/ Material Storage Facilities/ Corporation Yards Management.

   (a) Did you implement the required BMPs for each maintenance yard and activity specified in the tables Permittee shall implement the following BMPs at all Permittee owned, leased facilities including but not limited to vehicle/ equipment maintenance facilities, material storage facilities, and corporation yards, and at any area that includes the activities as described in the tables below. Answer each separately.

Table(General Best Management Practices) continued on next page.

(b) Are all of your existing facilities that are not plumbed to the sanitary sewer with vehicle and equipment washing areas:
  (1) Self-contained? How many?
  (2) Equipped with a clarifier? How many?
  (3) Equipped with an alternative pre-treatment device? How many?
  (4) To be plumbed to the sanitary sewer? How many? When?
    (A) Are all new facilities, or during redevelopment of existing facilities (including fire stations), all vehicle and equipment wash areas to be plumbed to the sanitary sewer and be equipped with a pre-treatment device in accordance with requirements of the sewer agency? If not state why.

4. Landscape and Recreational Facilities Management

Control Program for Registered Pesticides

(a) Did you adopt and implement policies, procedures, and/ or ordinances requiring the minimization of pesticide use and the use of integrated pest management (IPM) techniques in your operations and on municipal property?
(b) What was your previous year's pesticide use? Answer in gallons or pounds for each type used.
(c) Using estimated projections, what is your expected use this coming fiscal year? Answer in gallons or pounds for each type used.
(d) Do you have commitments to reduce or phase-out, and ultimately eliminate use of pesticides that cause impairment of surface waters? State for each, by when.
(e) Describe your Integrated Pesticide Management (IPM) program.
(f) Attach the program elements.
(g) Did you comply with the following requirements:?
  (1) Use a standardized protocol for the routine and non-routine application of pesticides, herbicides (including pre-emergents), and fertilizers?
  (2) Ensure no application of pesticides or fertilizers immediately before, during, or immediately after a rain event or when water is flowing off the area to be applied?
  (3) Ensure that no banned or unregistered pesticides are stored or applied?
  (4) Ensure that all staff applying pesticides are certified by the California Department of Food and Agriculture, or are under the direct supervision of a certified pesticide applicator?
  (5) Implement procedures to encourage retention and planting of native vegetation and to reduce water, fertilizer, and pesticide needs?
  (6) Store fertilizers and pesticides indoors or under cover on paved surfaces or use secondary containment?
    (A) Reduce the use, storage, and handling of hazardous materials to reduce the potential for spills?
    (B) Regularly inspect storage areas to ensure no environmental harm?

5. Storm Drain Operation and Management

Catch Basin Cleaning

(a) How many catch basins did you designate as one of the following:
- Priority A: Catch basins that are designated as consistently generating the highest volumes of trash and/ or debris?
- Priority B: Catch basins that are designated as consistently generating moderate volumes of trash and/ or debris?
- Priority C: Catch basins that are designated as generating low volumes of trash and/ or debris?

(b) Did you clean all catch basins according to the following schedule?:
- Priority A: A minimum of three times during the wet season and once during the dry season every year? How many?
- Priority B: A minimum of once during the wet season and once during the dry season every year? How many?
- Priority C: A minimum of once per year? How many?

(c) Did you ensure that any catch basin that is at least 25% full of trash and/ or debris was cleaned out? How many?

For each type of catch basin (A, B, or C) state how much trash and debris was collected and state the units (wet tons, dry pounds, etc…)

(1) Did you require for any special event that they arrange for temporary screens to be placed on catch basins or for catch basins in that area to be cleaned out subsequent to the event and prior to any rain event? How many events did this apply to?
(2) How much trash and debris was collected? (wet tons, dry pounds, etc…)

Trash Controls

(a) Did you install trash receptacles at transit stops as required?
(b) How many?
(c) How much trash and debris was collected? (wet tons, dry pounds, etc…)
(d) Did you install trash excluders, or similar devices upon catch basins to prevent the discharge of trash to the storm drain system?
(e) How many?
(f) How much trash and debris was collected? (wet tons, dry pounds, etc…)

Catch Basin Labels

(a) Did you inspect the legibility of the catch basin label by all inlets?
(b) How many?
(c) Were catch basins with illegible stencils shall be recorded and re-stenciled or re-labeled within 180 days of inspection?

(d) How many were recorded?
(e) How many were relabeled?

Storm Drain Maintenance

(a) Did you inspect all Permittee-owned open channels and other drainage structures for debris and identify and prioritize problem areas of illicit discharge for regular inspection?
(b) Do your maintenance activities assure that appropriate storm water BMPs are being utilized to protect water quality?
(c) Did you remove trash and debris from open channel storm drains before the storm season?
(d) Did you minimize the discharge of contaminants during MS4 maintenance and clean outs?
(e) How?
(f) Did you properly dispose of material removed?
(g) How much trash and debris was collected? (wet tons, dry pounds, etc…)
(h) Have you obtained coverage under the CASGP for Long-term maintenance programs for flood control channels (such as vegetation removal) if one or more acres of soil are disturbed by grading, clearing or excavation activities for an individual project or as part of several projects part of the Permittee's long-term maintenance plan?
(i) How many projects?
(j) Which projects?
(k) Were all municipally owned treatment control BMPs as maintained as necessary to ensure optimal pollutant reduction?
(l) Was any pooled water shall be discharged to the sanitary sewer system?
(m) Was any of the pooled water treated to remove pollutants and discharged to the storm drain?
(n) Was every discharge monitored to ensure compliance?

6. Streets and Roads Maintenance
   (a) Did you conduct street sweeping of curbed streets in commercial areas to control trash and debris at least 2 times per month?
   (b) How much trash and debris was collected? (wet tons, dry pounds, etc…)
   (c) Did you obtain coverage under the CASGP for long-term maintenance programs for roadside maintenance (such as: vegetation removal) if 1 or more acres of soil are disturbed including: grading, clearing or excavation activities that disturb 1 or more acres of land either for an individual project or as part of a long-term maintenance plan?

7. Parking Facilities Management

   (a) Were all Permittee-owned parking lots exposed to storm water cleaned to be kept clear of debris and excessive oil buildup and cleaned no less that 2 times per month?
   (b) How much trash and debris was collected? (wet tons, dry pounds, etc…)

8. Public Industrial Activities Management

   (a) Did you obtain separate coverage under the IASGP for any municipal activity subject to it for the discharge of storm water associated with industrial activity?
   (b) For how many facilities?
   (c) Which facilities?

9. Municipal Drinking Water System Discharges

   (a) From your municipal drinking system did you maintain the system by flushing hydrants or other fixtures?
   (b) How many gallons total were discharged in the year?
   (c) If the discharges in an annual period were less than 100,000 gallons for the entire city did you implement a BMP or suite of BMPs to ensure that the chlorine level of the discharge is 0.1mg/L or less?
   (d) Did you sample or take a test every time to ensure dechlorination of the water to 0.1mg/L or less?
   (e) Did you ensure that the BMP or suite of BMPs were implemented so that no erosion is caused by the discharge of the potable water?
   (f) What BMPs were implemented?

10. Emergency Procedures

    (a) Were there any emergencies that caused the Permittee to invoke this section? Explain the situation.

11. Municipal Employee (and municipal contractor) Training

    (a) Did you train all of your employees in targeted positions regarding the requirements of the overall storm water management program?
    (b) Did you promote a clear understanding of the potential for activities to pollute storm water?
    (c) Did they learn to identify opportunities to require, implement, and maintain appropriate BMPs in their work?
    (d) Did they learn the appropriate ways of identification, investigation, termination, cleanup, and reporting of illicit connections and discharges?
    (e) Will they ensure that the requirements of this Order are met?

(f) For those employees or contractors who use or have the potential to use pesticides (whether or not they normally apply pesticides as part of their work), which includes pesticides available over the counter, did you address the potential for pesticide-related surface water toxicity?
(g) Proper use, handling, and disposal of pesticides?
(h) Least toxic methods of pest prevention and control?
(i) Encourage the use of IPM?
(j) Require the quantifiable reduction of pesticide use?

(k) Training - All Permittees shall train all targeted employees who are responsible for on an annual basis. In public agency?

G. Illicit Connections/ Illegal Discharge Program

1. IC/ ID Program
   (a) Did you implement an IC/ ID Program?
   (b) The IC/ ID Program must be documented and available for review.
   (c) Did you map all permitted connections to the storm drain system?
   (d) Did you map all illicit connections and discharges on baseline maps?
   (e) Did you transmit this information to the Principal Permittee?
   (f) Did you use this mapping information to identify priority areas for further investigation?
   (g) Did you eliminate all known illicit connections and illicit discharges?

2. Public Reporting
   (a) Did you establish and maintain a phone hotline to receive illicit discharge/ connection complaints?
   (b) Did you establish and maintain an internet homepage to receive illicit discharge/connection complaints?
   (c) For all complaints received, did you document the location of the illicit discharge/ connection?
   (d) Have you documented the actions undertaken in response to all illicit discharge/ connection complaints?

3. Illicit Connections

   <u>Screening for Illicit Connections</u>
   (a) Did you conduct field screening of your storm drain system for illicit connections?
   (b) For those portions of the storm drain system consisting of storm drain pipes 36 inches in diameter of greater, how many miles did you field screen this year?
   (c) Out of how many miles total?
   (d) Did you conduct field screening for high priority areas identified during the mapping of illicit connections and discharges?

(e) How many miles were completed this year?
(f) Out of how many miles total?
(g) How much of the storm drain system that is 50 years or older in age did you field screen?
(h) Out of how many miles total?
(i) Did you submit to the Principal Permittee a GIS layer showing the location and length of underground pipes greater than 18" in diameter and channels within their jurisdiction?
(j) Did you also include the status of suspected, confirmed, and terminated illicit connections?
(k) Did you maintain a list containing all connections under investigation for possible illicit connection and their status?
(l) Did you attach that list to this Annual Report?

Response to Illicit Connections

(a) Did you complete an investigation within 21 days of notice of a suspected illicit connection?
(b) Did you determine the Source of each connection?
(c) Did you determine the nature and volume of discharge through the connection?
(d) Did you identify the responsible party of the connection?
(e) How many suspected illicit connections were there this year?
(f) Upon confirmation of the illicit nature of a storm drain connection did you terminate the connection within 180 days of completion of the investigation?
(g) Did you document all illicit connection discoveries and your response to each?

4. Illicit Discharges
   (a) Abatement and Cleanup
      (1) Did you respond and cleanup within 1 business day of discovery or of receiving a report of a suspected illicit discharge?
      (2) Did you keep records of all illicit discharge discoveries, reports of suspected illicit discharges and their response to the illicit discharges and suspected illicit discharges?
      (3) How many did you receive?
      (4) How many did you respond to?

   (b) Investigation
      (1) Did you investigate illicit discharges during or immediately following containment and cleanup activities, and take enforcement action as appropriate?

PART 5 - WATERSHED ECOLOGICAL RESTORATION PLANNING

1. Watershed Ecological Restoration
   (a) Did you develop Watershed Ecological Restoration Plans and Reports?
   (b) Did you develop Watershed Ecological Restoration projects or plans for:
      (1) The degraded stream segments of the Ventura River?
      (2) The degraded stream segments of the Santa Clara River?
      (3) The degraded stream segments of Calleguas Creek?

2. Did you include or attach the WMAs Watershed Ecological Restoration Plans Annual Reports, and include:
   (a) Background information?
   (b) Evaluation of site conditions?
   (c) Progress towards goals summarized and linked to specific stressors and measurements endpoints?
   (d) Bioassessment monitoring assessment(s)?